Mr. Nixon and the Blacks *The Editors*

THE NEW REPUBLIC

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A Journal of Politics and the Arts — July 18, 1970, 50 cents

A "Korean Solution" For Vietnam?

Frank Baldwin

Nixon's Family Assistance Bill

An Attack by Lucy V. Katz

A Defense by Daniel P. Moynihan

Stanley Kauffmann

on Myra Breckenridge and Other Assorted Disasters

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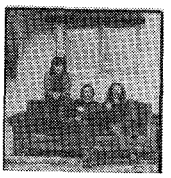
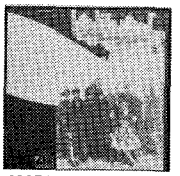


42665 CROSBY, STILLS & NASH
Atlan LP, 8TR, CASS,

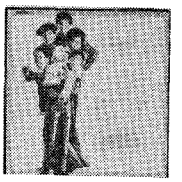
33077 JOAN BAEZ—One Day At A Time
Vangu LP, 8TR, CASS



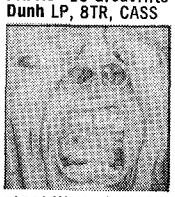
42673 LED ZEPPELIN II
Atlan LP, 8TR

49706 B.B. KING—Completely Well
Blues LP, 8TR, CASS

44368 PAUL MAURIAT—Midnight Cowboy
Phil LP, 8TR. CASS

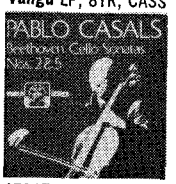


30602 JACKSON FIVE—I Want You Back
Motow LP, 8TR, CASS



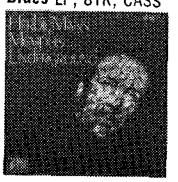
42693 KING CRIMSON
Atlan LP, 8TR

33032 IAN & SYLVIA—Nashville
Vangu LP, 8TR, CASS



17317 CASALS—Plays Beethoven
Phil LP

34525 HELLO DOLLY
TwenCen LP, 8TR, CASS



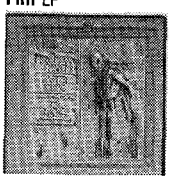
42638 HERBIE MANN
Memphis Underground
Atlan LP, 8TR, CASS

33495 BLIND FAITH
Atco LP, 8TR, CASS

33252 WES MONTGOMERY—Best
River LP, 8TR, CASS

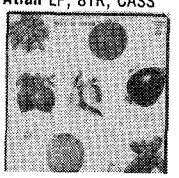
31799 THREE DOG NIGHT—It Ain't Easy
Dunh LP, 8TR, CASS

15116 HANDEL—Jephtha
Vangu LP (3 records)



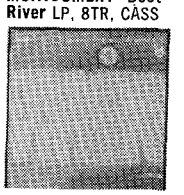
17263 GREGORIAN CHANT
Phili LP

44365 JACQUES BREL—If You Go Away
Phili LP



33486 CREAM—Best of Cream
Atco LP, 8TR

42577 RASCALS-Great Hits Time Peace
Atlan LP, 8TR, CASS

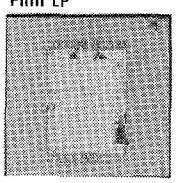


44373 HAIR: French Original Cast
Phil LP

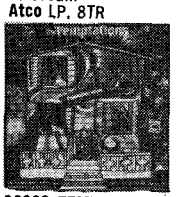
16759 TCHAIKOVSKY—1812 Overture
Mercu LP

67503 SMITH—*Minus*—Plus
Dunhi LP, 8TR, CASS

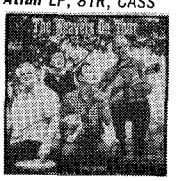
34506 ZORBA THE GREEK—*Soundtrack*
TwCen LP, 8TR, CASS



33065 JOAN BAEZ—*David's Album*
Vangu LP, 8TR, CASS



30606 TEMPTATIONS
Psychedelic Shack
Gordy LP, 8TR, CASS

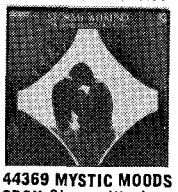


33078 WEAVERS—On Tour
Vangu LP, 8TR, CASS

17042 BEETHOVEN: Piano Sonatas/ Richter **Phil** LP

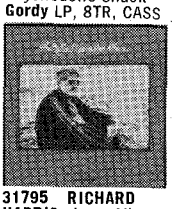
33083 COUNTRY JOE & FISH—CJ Fish
Vangu LP, 8TR, CASS

66546 RARE EARTH—Get Ready
RarEa LP, 8TR, CASS

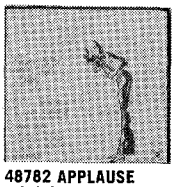


44369 MYSTIC MOODS ORCH. Stormy Weekend
Merc LP, 8TR, CASS

17238 BERLIOZ—Te Deum—London Sym.
Phili LP



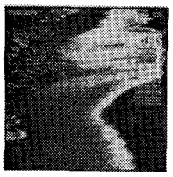
31795 RICHARD HARRIS—Love Album
Dunhi LP, 8TR, CASS



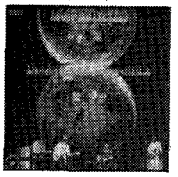
48782 APPLAUSE—Original Cast
ABC LP, 8TR, CASS

33487 BEST OF BEE GEES
Atco LP, 8TR, CASS

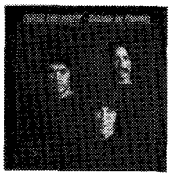
42703—ARETHA FRANKLIN—This Girl's In Love With You
Atlan LP, 8TR, CASS



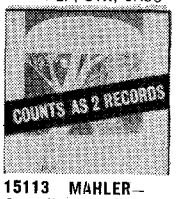
17049 SIBELIUS—Sym #2 Concert-gebouw/Szell
Phili LP, 8TR, CASS



33443 IRON BUTTERFLY—In A Gadda-Da-Vida
Atco LP, 8TR, CASS



31781 THREE DOG NIGHT—Suitable for Framing
Dunhi LP, 8TR, CASS



15113 MAHLER—Sym #3 Utah Sym
Vangu LP (2 records)

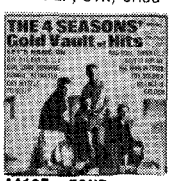
43793 SPANKY AND OUR GANG—Greatest Hits
Mercu LP, 8TR, CASS

30609 SUPREMES—Right On
Motow LP, 8TR, CASS

17064 MOZART: Sym Nos. 25, 29, 32—Lon. Sym, Davis
Phil LP

33029 BUFFY SAINTE-MARIE—Gonna Be A Country Girl Again
Vangu LP, 8TR, CASS

42704 CROSBY, STILLS, NASH & YOUNG—Deja Vu
Atlan LP, 8TR, CASS



44195 FOUR SEASONS—Gold Vault of Hits
Phili LP, 8TR, CASS

31973 JOHN COLTRANE—Selflessness
Impul LP

30601 DIANA ROSS & SUPREMES—Greatest Hits 3
Motow LP, 8TR, CASS

67500 STEPPENWOLF—"Live" (2 records)
Dunhi LP, 8TR, CASS

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CAN YOU BUY ANY RECORD OR TAPE YOU WANT AT A DISCOUNT?	NO	NO	NO	NO	NO	ALWAYS! You get discounts up to 79% off. Guaranteed never less than 33⅓% off. No exceptions.
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The Beatles—Let It Be	Apple	6.98	3.49
Hair—Original B'way Cast	RCA	5.98	2.99
Tom Jones—Tom	Parrot	5.98	2.99
Paul McCartney—McCartney	Apple	5.98	2.99
Jose Feliciano—Fireworks	RCA	4.98	2.49
Glen Campbell—Oh Happy Day	Cap	5.98	2.99
Barbra Streisand—Greatest Hits	Col	5.98	2.99
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Leontyne Price—Verdi Heroines	RCA	6.98	3.49

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The New Segregation

– Here is a black principal in Louisiana with 27 years' tenure whose school has been "desegregated." He has been demoted to teach fifth term math and is being "observed" six times in a two-week period; the supervisor says he doesn't know his subject and should be fired. Another black principal is a janitor. The National Education Association says 5000 black teachers in the 11 Southern states have been fired.

– Here is Washington Parish (La.) where the microscopes of a closed black school, bought with federal funds, have suddenly disappeared. In the new, private, segregated Bolling Green Academy microscopes have mysteriously appeared.

– Here is Leake, Mississippi, which sold the 12-year-old, 10-classroom Madden school to a private source for $15,000. It was resold for $10 to a segregated academy.

– A hidden transfer of public school equipment – desks, typewriters, books and other material – to newly established segregationist academies, many of them in churches, is going on now all through rural areas in the South.

– Here in the woodlands of Lamar County, Georgia, is a one-teacher segregated academy, Holy Bible Church School; a reporter who went out to inspect it was turned away by an armed man.

– Here is a town called Eclectic, Ala., which has opened up a tar-paper academy. To resist the Supreme Court? Oh, goodness, no! "We really didn't do it on account of integration," says the mayor, "we done it for better education."

We could go on and on. But to complete it, here is a government in Washington that doesn't know yet whether it will, or will not, grant tax exemption to new private academies being instituted everywhere in the South to defy the Supreme Court and undermine the Constitution.

Without tax exemption most academies can't survive. Private tuition costs $400 or $500 and the money is coming out of the hides of unfortunate local merchants who see sales go down precipitately as parents scrimp. They threaten the public school system in some towns. Cyril Busbee, South Carolina Superintendent of Education, says, "All you have to do to open a private school in South Carolina is to have a spare stable."

Attendance at private segregated schools in the 11-state South has soared to 400,000. This is 10 times greater than before the Civil Rights Act of 1964. (Total public school enrollment – about 11,700,000.)

Make no doubt of it, folks, this September 1 is D-day – the opening of the school year. The Supreme Court has said, Desegregate, *now*. The vacillating HEW Department has said it will try to enforce the order. The most recalcitrant school districts are up against the wall. Jerris Leonard, assistant AG for civil rights, promises that "97 percent" of black children in the South will be attending school in districts which will be completely desegregated. (Note the distinction: the *districts* will be desegregated, not necessarily the *schools*.) And a series of grim-faced witnesses before a Senate committee are saying, "This is it"; "it's now or never"; "there may be violence this fall."

You can't ignore this testimony. It is being given before an almost unreported subcommittee on Equal Educational Opportunity headed by tough Sen. Walter F. Mondale (D, Minn.). Here is Winifred Green of the American Service Committee – these Quakers, who would go to the stake for their quiet convictions. She tells of the superintendent of DeKalb High in Kemper, Miss., who says, "We're fully integrated, that's for sure" – where 108 blacks, all tenth graders, attend all-black classes in a wing of the red brick school completely separate from the 190 whites.

Or dignified George D. Fischer, president of the National Education Association (with its 1,100,000 classroom teachers the largest professional association in the land), who tells of a segregated busing system that requires black children to board buses at 5:30 AM so that buses may return later to pick up white children. ("I believe it is beyond the scope of the imagination of anyone here" he says quietly, "to really understand the courage displayed by the black teachers who do peacefully protest injustice.")

Or Reese Cleghorn who seems, with his aquiline profile, beguiling accent and disarming simplicity, to have stepped out of Harper Lee's *To Kill a Mockingbird;* he is with the Southern Regional Council at Atlanta, and tells of black kids fighting for education and of racist heads of new "academies" who call them "little more than field hands."

What is needed above all now, says former Attorney General Ramsey Clark almost despairingly, is leadership from the Administration, "moral leadership." You know the story: just when school desegregation seemed finally underway, the Nixon Administration abandoned its strongest enforcement weapon, termination of funds. In the interest of its Southern strategy and to the horror of the civil rights division of the Justice Department it switched sides in court and appealed for more time to let 30 Mississippi districts work out plans. And the Supreme Court slapped it down and said, Integrate *now*. Former HEW Secretary Finch ran up against stony-faced AG Mitchell: Finch got transferred. Commissioner of Education James Allen voiced almost the only deep commitment to integration: he was dropped. The head of the Office of Civil Rights, Leon Panetta, protested; he got fired.

And even now, on tax exemption for segregationist academies, the HEW is going one way, the Justice Department another. Justice smugly calls its attitude "benevolent neutrality." The phrase deserves to be bracketed with Pat Moynihan's "benign neglect."

The Justice Department has filed no suit challenging Mississippi's property tax exemption to segregated schools, or to the IRS ruling of tax exemption. Firing of Negro teachers is notorious; no suit has been filed. Hidden transfer of public school equipment is illegal; there has been no suit.

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Nixon and Blacks: Substance and Symbol

Is the Nixon Administration "anti-Negro," as alleged by the chairman of the NAACP, Stephen G. Spottswood? It does not think itself so. The President's Special Consultant, Leonard Garment, cites evidence that it is not, in an aggrieved telegram to Bishop Spottswood. And in a sense Mr. Garment is right. George Wallace is not the symbol of this Administration; the Attorney General is. And Mr. Mitchell does not hate blacks; he hardly knows them. He is not a bigot, he defends the law and order that underpin his own success and that of his friends. He is an expert on municipal bonds, intelligent, self-assured, provincial. Mr. Garment is broader-gauge, but, with all the goodwill in the world he cannot close the great divide between the government and the blacks. It is beyond his reach. So if he comes off worse in his interchange with NAACP, it is not because he is insincere, or because the Administration is hard-hearted, but because government, business, unions, schools, philanthropies *are* run by whites, primarily for the benefit of whites, and the blacks rightfully resent it.

What does a black man see? He sees a man nominated for the Supreme Court who once pledged himself to white supremacy. He sees the President sign a Voting Rights Act only after having lobbied in the Congress, and failed, to sap its strength. He sees a persistent income differential: in 1968, 58 percent of white families earned $8000 or more, 32 percent of nonwhite families. He sees 29 percent of black families existing below the poverty line. He sees white unemployment drop in June from May's 5 percent to 4.7 percent of the labor force; and the black jobless rate rise from 8 to 8.7 percent. He knows that "Black Capitalism" is a fraud. "Under programs announced last fall," *The New York Times* (June 28) reported, "hundreds of companies, in partnership with the federal government, were to make millions of dollars available to minorities by June 30 . . . So far only nine companies have kept their commitment of $150,000 each with two-to-one federal matching money [and] not all of the nine have yet granted loans . . . Some banks still refuse to finance minorities, even with 100 percent guaranteed government loans."

Seventy percent of black America is in the metropolitan areas, and if all the words written to deplore the impoverishment of poor blacks in cities were translated into renewal dollars, the ghettoes would

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bloom – and no longer be ghettoes. The most recent Bureau of Labor Statistics data (1968) showed that 24 percent of black housing is substandard. Not much can be done about that now; too inflationary – though a brand-new US-financed program for Vietnamese soldiers' families will produce 20,000 new houses in Vietnam, built in each of the next five years, according to *The Washington Post* of July 7. Two years ago, Congress enacted a historic fair housing law which decreed, in essence, that any American of any color or religion had the legal right to rent or buy a place to live, assuming he could afford it. And about the same time, the Supreme Court upheld an 1886 statute which gave a man the right to sue if he was kept from buying a home because of race. Since the Act became effective on January 1, 1969, the Housing Section of the Justice Department Civil Rights Division has filed only about 50 cases. (HUD has received more than a thousand discrimination complaints.) Restrictive covenants are honored in practice, if not in theory, in every section of the country. The Department of Housing and Urban Development has not yet issued regulations spelling out the details of how the Open Housing Act should be enforced, how HUD field offices will handle grievances, how the department should fulfill its statutory obligations to coordinate federal programs in a way to best further the 1968 Act's objectives. This February, the US Commission on Civil Rights recommended that the Administration prohibit federal agencies from moving into communities without adequate housing for low income or minority group employees; it asked President Nixon to issue an executive order to that effect. No order has been issued. The Commission charged that the government has been "inadequately concerned" with the impact of relocation on blacks.

TRB in his report this week cites testimony from Senator Mondale's investigation of prolonged, protected Southern evasion of school desegregation. On June 26, the director of the Civil Rights Division of Justice, Jerris Leonard, promised to file a single suit against the state of Mississippi if the 27 districts in that state not in compliance failed to act within three days. "We're going to be disinterested in discussing it after next week," he said. Three days came and went; there was no suit. Two weeks passed; the Department was not disinterested in further discussion. HEW estimates there are 150 hold-out school districts which have neither submitted desegregation plans to the Department nor led the Department to believe they intend to. Only 43 of these districts have had their federal funds for education cut off, and that does not tell the whole story. Many school districts make promises in order to meet September deadlines for compliance and thus qualify for funds – only to let those promises lapse in the ensuing 12 months, until the next deadline has to be met. Many districts under court orders to desegregate are assumed to be in compliance with the law (and so are not included in the 150), but they are not. Monitoring is spotty, review inadequate.

This is the substance of the NAACP's indictment. In the background there are other, unspoken thoughts. The NAACP, too, has constituents, an impatient membership to which it must answer, militant pressures before which it must bend or give way. Bishop Spottswood's is a cry for help – help us help blacks to believe they can make it! The NAACP criticism goes beyond the Nixon record; it is a condemnation of the Administration's thinness of dedication; the White House is *not* hospitable to black hopes, or to black spokesmen.

The Administration responds by trying to recruit Whitney Young of the Urban League as its ambassador to the black community. The gesture is not exactly a slap in the face, for Mr. Young is an excellent man. But it does not ease the pain of a smarting NAACP, whose executive secretary, Roy Wilkins, has been the black elder statesman, the leader of established civil rights groups.

No one has to tell the NAACP that society does not move at the speed of light. But the Administration – the next one if not this – can and must comvey to black America, moderate and militant, that it *wants* to move farther, faster – away from poverty and toward equality. It does not convey that when the President vetoes a hospital construction bill as "inflationary," and subsequently plans an additional $100 million in economic aid to the Saigon government – on top of the $365-million already allocated for fiscal '70. It cannot convey that when the President welcomes to the White House a delegation of "hard hats" who are anything but sympathetic to black aspirations; or when the Vice President twice attacks the credentials of the single young black selected by the President to serve on an advisory committee on campus unrest. Symbols count; John F. Kennedy rode a long way by a single telephone call in 1960 to Mrs. Martin Luther King, when her husband had been arrested. And it is ironic that a White House so amply staffed with advertising talents, so sensitive to "image," so quick to see the political advantage in any situation, fails to grasp this desperate need of the black community for true signs of concern. It is ironic, unless one believes the President *has* embraced a "Southern strategy," and that he is investing his political capital in the presumed loyalty of those whites who resist and fear black emancipation.

Black America's confidence in the national government has rapidly, dangerously diminished. When, 30 years ago this summer, Walter White, who was "Mr. NAACP," was asked whom the Negroes would vote for that year for President, he replied, "FDR, of course, for if they don't, Mrs. Roosevelt won't be in the White House, and I'm going to tell them so." He didn't need to tell them anything. They *knew* then that they had friends and allies in the highest places.

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Black and Blue

President Nixon has turned off blacks by offering them too little; nonetheless, white blue-collar workers think that they're the ones who are being cold-shouldered. That's the nub of a report to the President on "70 million Americans" by Assistant Secretary of Labor Jerome M. Rosow. The Rosow report is so confidential that last week leading newspapers printed their version of it. It aims to win the hearts – and votes – of the blue-collar workers, the men and their families in the $5000-$10,000 a year bracket who may turn to Wallace.

What are their grievances? They're tired of the rat race. Most of them did not get through high school and can't send their children to college without great financial sacrifice. Their earnings as skilled workers peak just when expenses are shooting ahead, and inflation doesn't help. They feel they are the real untouchables of this society, because their jobs no longer have status. College graduates get all the respect, also more pay. Many blue-collar workers are trapped by economics in the outer rings of cities, with crime waves splashing over them from the inner-city pools of destitution and decay. Many of them feel the federal government is encouraging, with welfare payments and family assistance plans, blacks who breed copiously and don't want work. At the same time, the whites feel their own jobs are threatened by blacks beginning to climb the income and employment ladders and treading hard on white heels.

To help meet those grievances, the report to the President suggests that the Administration offer the blue-collar workers and their families tax relief, college courses, more job openings, and such intangibles as national awards for outstanding craftsmen, and special postage stamps to honor skilled trades. It's suggested that wives of blue-collar workers should receive financial help to place their smaller children in child-care centers, so the mothers can take part-time jobs. This would add to family income but would not lead to inflation that comes about when regular workers through their labor unions succeed in pushing up contract wage rates. More federal money for the country's 1000 community colleges, and financial assistance to enable working class kids to get a college degree without overburdening their families, would remove the blue-collar workers' sense of inferiority and injustice; they feel the college students look down on them as uneducated slobs. So runs the report. How does it stand up?

Mr. Nixon has already preempted the best part, in his proposed Higher Education Opportunities Act of 1970, which he put before Congress in March and on which the House and Senate will hold hearings this month and next. It seems unlikely that skilled workers would enthuse over being portrayed on postage stamps, or would compete eagerly to win a national award as best muffler fitter of 1970. The mighty-muscled Stakhanovite worker exemplifying the nobility of toil is an old and tired gimmick. Putting workers' wives to work would not end the rat race but widen it. George Bernard Shaw once remarked, "I did not throw myself into the struggle for life, I threw my mother," but he wasn't proposing this for universal adoption and besides it was a very long time ago.

The Rosow report is flawed also in some of its basic assumptions. Unavoidably it implies there is resentment by "70 million Americans" against a) blacks and b) college kids. That's too simplistic a polarization. This country's social strata overlap more often than not. The report itself admits but does not stress that about a third of the blacks are in the $5000-$10,000 income bracket. And most of the people on welfare are not black, they're white. A deplorable number of skilled white workers, it's true, are antagonistic to blacks and therefore to "open housing"; but probably just as many, commendably, are for open housing and not hostile to blacks. The whites who dislike or fear blacks do so for confused and contradictory reasons. As the report indicates, they do so because they believe blacks are lazy and prefer doles to jobs, but they also believe the blacks are coming on too fast and demanding their due share of the skilled jobs the whites have so long monopolized. It behooves a responsible Administration to expose and dispel such blatant contradictions and confusions, not exploit them.

Finally, college kids don't look down on blue-collar workers, for the very simple reason that, according to Mr. Nixon's own higher education message of March 19, 40 percent of all college students now enrolled are from families whose incomes fall below $10,000 a year. Of course it's fine to try to expand that 40 percent. It's also an excellent plan to try to double the number of black families in the $5,000-$10,000 income bracket. The report is silent on that however, because its thrust is political – win white votes. The report is on solid ground when it talks of mass transit, better housing and more higher education for everyone. It's shaky, even shifty, when it seems to suggest that what blacks gain, white lose or vice versa.

Congress Midway

One of the issues the Republicans propose to "take to the people this fall" is "the refusal of Congress to put money where the need is." The shoe is on the other foot. The Administration is extravagant in some directions, but tends to be miserly as regards human wants.

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The 92nd Congress has been weak-kneed about Administration waste, but at least it has objected to some of the Nixon cheeseparing – and has been blasted by the Administration for doing so.

The Senate unfortunately failed last week to go along with Fulbright and Proxmire, who wanted the $3.3 billion space budget cut, as an apt retort to White House criticism of alleged Congressional over-spending. The Senate may, however, vote down the Administration's request for $290 million to help launch an unnecessary supersonic passenger airliner. The House approved the SST at the same time blocking the form of mass transit funding the Administration wants. The House also deleted the $98.8 million for the Peace Corps when it agreed to appropriate $2.2 billion for foreign aid; will it be as prompt to refuse to give the Administration the $50 million for military aid to the Cambodian government, a grant that will probably turn out to be a modest down payment?

The Administration and Congress both have a bad case of myopia. Their blurred vision overlooks starving children but snaps into focus for space shuttles, strategic weapons and the like. Yet on the whole, Congress has a somewhat surer grip on human values than the White House; that no doubt is why Mr. Nixon is so fierce in accusing the legislature of "fiscal irresponsibility." The Senate for instance is in favor of free food stamps being issued to families whose monthly incomes fall below a beggarly $60; the Administration sought to confine free food stamps to families with incomes under an unbelievable $30 a month. How mean can an affluent society get?

Congress in midyear is as usual far behind in its work. Money has to be doled out to government departments because appropriations weren't passed by June 30, the end of the financial year. Neither chamber will get a summer vacation, and probably both will have to go back to work immediately following the November elections. The President's major legislative proposals – crime control, welfare reform and postal reorganization – are up in the air. On postal reform, House and Senate have still to resolve their differences. Senate hearings continue on the Administration's revised welfare plan. The House Judiciary Committee thinks that anti-crime measures the Senate has approved are unconstitutional. Postal workers and other federal civilian and military employees got pay raises that tardily acknowledged inflation's inroads on their living standards, but Congress isn't hurrying to balance the increased spending by higher postage rates or quicker tax collections as the President suggested. The requested tax on lead gasoline seems unlikely. Seven anti-pollution measures proposed by the government have still to be dealt with, though one water pollution bill relating to oil spills has been passed.

Proposed family planning grants and population research are only gleams on the horizon. Extension of voting rights to 18-year olds has to be tested by the courts, and a constitutional amendment providing for direct election of a President just might clear Congress but thereafter will need ratifying by 37 states and is unlikely to be in operation by 1972. The Senate seeks to reassert Congress's constitutional powers in foreign affairs; the real test will come with the McGovern-Hatfield motion to end the Vietnam war, and a majority for that is far from assured. The House meanwhile seems more interested in imposing protectionist quotas on imports. The best hope for the country is a different kind of Congress in 1971 – but not the kind White House spokesmen want.

Conscientious Objection

The Selective Service Act exempts from "combatant training and service" any person "who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form." But the statute adds that in order to qualify him for exemption, a person's conscientious objection may not be based on "essentially political, sociological, or philosophical views or a merely personal moral code."

In 1965, in *United States v. Seeger*, the Supreme Court held that a person could be entitled to an exemption even though he professed no allegiance to any organized religion. The Court said: "A sincere and meaningful belief which occupies in the life of its possessor a place parallel to that filled by the God of those admittedly qualifying for the exemption comes within the statutory definition." This interpretation of the statute in the *Seeger* case stretched the language Congress had used. But a contrary interpretation, restricting the exemption to those whose beliefs derive from the dogma of an organized religion, would have caused constitutional difficulties for at least some of the Justices. For the First Amendment forbids the establishment of religion, and this prohibition can be and has been read to mean that the state may not support religion, or prefer it over secular beliefs and modes of conduct.

On June 15, in *Welsh v. United States*, the Supreme Court reaffirmed the result it reached in the *Seeger* case five years ago, going beyond it, if at all, only very slightly. Like Seeger, Welsh sincerely believes that war is wrong, and like Seeger, he is not a communicant of any church. While Seeger was willing to characterize his beliefs as "religious" (Seeger's quotation marks), Welsh was not, although he did say that his beliefs were "certainly religious in the ethical sense of that word." Both are opposed to war in general, not merely to the Vietnam war.

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Newspaper Lobby

The House has approved, 292-87, that singular bit of legislation, already passed by the Senate, known as the "Newspaper Preservation Act." The bill grants an exemption from the antitrust laws for the "joint-operating agreements" that exist between separately owned daily newspapers in 22 cities. It thus overrules the Supreme Court's decision last year in the Tucson case. That decision does *not* prohibit two newspapers from sharing the same printing plant or engaging in various other kinds of cost-reducing joint activity. It holds that when they go further and fix prices, pool profits and agree not to compete with each other, so as to create a monopoly, they violate the most basic provisions of the antitrust laws.

It is such conduct by newspaper publishers – conduct subject to criminal prosecution and a year's imprisonment when done by lesser mortals – that the Newspaper Preservation Act is designed to legalize.

On its merits, the bill is thoroughly bad. It is not needed to "preserve" any newspapers. It is designed, in the words of the minority of the House Judiciary Committee (Abner Mikva of Illinois and Clark MacGregor of Minnesota), to "give these 44 papers monopoly power forever." It will stifle the emergence of competing papers and release the entrenched publishers of any need to improve their product. As legislation granting special favors to newspapers, it also carries the special danger of compromising the independence of the press. On these and other grounds, the bill was opposed by *The New York Times*, *The Wall Street Journal*, and *The Washington Post*. It was opposed by the Justice Department (though not by the Nixon Administration). It was opposed by the Board of Governors of the American Bar Association. It was opposed by almost everyone in the newspaper industry, except, as Senator McIntyre has pointed out, "the giant companies with the money interest in its passage."

Those companies – Scripps-Howard, Newhouse, Cox, Hearst, the Mormon Church, to name a few – may be compared with another recent supplicant for financial relief from the federal government, the Penn Central Railroad. Whatever one may say about the proposals for a government-guaranteed loan to the Penn Central (a proposal that Congress effectively blocked), no one has questioned that the railroad really needed the money. The "failing newspapers" are different. They not only have rich parents, as does Penn Central, but they are highly profitable in their own right.

Congress did try, unsuccessfully, to insist that the newspapers prove their "failing" status. The House Antitrust Subcommittee told the publishers they would have to produce financial statements. The Subcommittee added that under its rules and the rules of the House, "When such information is requested by the Judiciary Committee, no commitment is made in advance that information delivered for the use of the Committee will not be made public." The Subcommittee said it would allow the publishers to argue, after the information had been submitted, that it should not be made public, but the Subcommittee would then make the decision. In Chairman Celler's words: "If the publishers want them to be held and not made public, they have to persuade the Subcommittee. The Subcommittee will render judgment and determine if they shall be made public."

That isn't how it happened. The majority report of the Judiciary Committee, adopted by a vote of 13 to 8 (with Mr. Celler apparently in the minority), states that each of the publishers requested confidential treatment and that, consequently, the material "at this time is not available to the public." There is no mention of a Committee decision as required by the rules. The minority report sheds further light: "The public will never know whether any of the newspapers were failing at the time the arrangements were created, or whether the financial condition of the newspapers today justifies this exemption, because these records pursuant to an agreement between the publishers and the Committee have not, and will not, be disclosed by the Committee." It thus appears that the majority of the Judiciary Committee, in violation of the Committee's own rules and the rules of the House made "an agreement" with the publishers in advance that the information submitted would not be disclosed. (It was widely reported that the publishers had been exceedingly reluctant to provide the information.)

When an executive agency acts this way, congressmen brandish the "Freedom of Information" Act. When any governmental body acts this way, newspapers assail the denial of the public's "right to know."

As the bill neared a vote in the Senate, one witnessed a remarkable scene which has been recorded for us by McIntyre: "The lobbying which went on for this bill may well have set new records. I tried, without any luck, to get some idea of when the bill would come up to the floor. Then, two days before it did come up, representatives from all the large newspaper chains in the country descended on Washington. Just as they departed, the bill came to the floor, brought up so suddenly I had to cancel several events I'd planned in New Hampshire."

The bill had 101 sponsors in the House and it's not hard to figure how they were recruited. The overwhelming majority either have joint-operating papers in their districts or have papers in their districts owned by chains involved in joint operating agreements elsewhere. The majority report of the House Judiciary Committee was authored by Congressman Robert Kastenmeier of Wisconsin, whose district includes a joint-operating agreement at Madison. In the Senate, as it happens, only one senator from a state with a

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joint-operating agreement voted against the bill, and that was Gaylord Nelson of Wisconsin. Senator Nelson was immediately attacked in a front page column by the editor of the *Madison Capital Times*.

While the entire bill represents, in the words of Representatives MacGregor and Mikva, "special interest legislation which gives discriminatory advantages to a few," there is a special twist of the screw in favor of the publishers in Tucson and San Francisco. In those cities advertisers have filed private antitrust suits against the joint-operating newspapers, and the publishers, not content with legalizing their future conduct, pressured to make the bill retroactive so as to wipe out the pending lawsuits. Working on this as a registered lobbyist for the *San Francisco Chronicle* was the Washington law firm of Wilmer, Cutler and Pickering. Their efforts proved to be highly successful, especially in the House Judiciary Committee, which knocked out all pending lawsuits whenever filed.

In the end, the "Newspaper Preservation Bill" presents a nice lesson in law and order. When powerful publishers break the law – a criminal law at that – they are not even compelled to obey it in the future. They telephone their congressmen, hire some lobbyists, and get Congress to change the law for them. And they have it done retroactively, so as to avoid the need to compensate the people they have injured. Such is the bill that last week sailed through the House.

Stephen R. Barnett

Organized Crime

American criminals have put together an organization which is at once a nationwide illicit cartel and a nationwide confederation dedicated to amassing millions by extortion, usury, gambling, narcotics, and untaxed liquor. Their tremendous profits are being invested in legitimate business (which we know) and in the political process (which we don't). The game is monopoly.

A membership group variously known as "Cosa Nostra," "The Mafia," and "The Syndicate" is the core of the organized crime alliance. About 5000 men now view themselves as members and take special cognizance of other members. But not all the persons making a living from organized crime are members of Cosa Nostra. The street men who handle the retailing end of Cosa Nostra's businesses are usually commission agents or employees, not members. In large city ghetto areas, much of the street work is done by blacks. Money poured into ghettos goes immediately from the pockets of the poor to the pockets of criminals, whose major source of income is from illegal bet taking.

Similarly, only a few of the policemen, judges, mayors, and other officials corrupted by Cosa Nostra are members. Each of the 24 Cosa Nostra "families" in the United States has at least one position for a "corrupter," whose job is to protect "family" members from law-enforcement processes. He bribes, buys, intimidates, threatens and sweet talks himself into a relationship with police, public officials, and anyone else who can help keep criminals immune from arrest, prosecution and punishment. Tenure in the role of corrupter is not permanent, but tends to be lengthy. Frank Costello once held the positions of both boss and corrupter in a New York City Cosa Nostra "family."

For each corrupter there is at least one "corruptee" – the person receiving the bribe, the payoff, the contribution or the "favor." The American Bar Association's report on organized crime concluded, "The largest single factor in the breakdown of law enforcement dealing with organized crime is the corruption and connivance of many public officials." The President's Commission on Law Enforcement and Administration of Justice made the same observation: "All available data indicate that organized crime flourishes only where it has corrupted local officials." Not so long ago, Frederick J. Lacey, the United States Attorney for New Jersey, which is finally being forced to face its organized crime problem, said that "the rottenness of organized crime and its stench has permeated to terrifying levels [in] our municipal police forces and governments, our county law-enforcement agencies, and even our state levels from time to time."

Many such corruptees are said to be "owned" by organized criminals, which means that if papa says "Eat your goddam spinach," they start gulping it down. Not long ago a city council member who was "owned" by organized criminals resigned after a meeting with the syndicate boss, giving "ill health" as the reason. The boss then picked one of his relatives for the city council job, but this man withdrew from candidacy when his association with the boss was publicized by alert newsmen. Another man was later selected by the boss, and this one won the election, despite the fact that he did not meet the residence requirements. This deficiency was discovered, and the man resigned about 60 days after he was elected. Then the boss gave the city council seat to a man who was the partner of a well-known loan shark. In the same district, a United States congressman who employed the son-in-law of the boss as his assistant fell out with the boss, who ordered him to resign. He did so immediately, giving "health of wife" as his reason. The boss selected another man for the congressional seat, but his son-in-law stayed on as the new congressman's assistant. In this district, organized criminals also "own" judges as well as the officials who assign criminal cases to judges. About 90 percent of the organized-crime defendants appear before the same few judges. We know

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that corruptors and corruptees have "helped" many cities arrange their program for combating organized crime so that crime is in fact maintained. Most proposals for "doing something" to halt Cosa Nostra's march toward monopoly are based on the assumption that organized crime is merely a law-enforcement problem. Thus the calls for better law-enforcement tools, such as wire tapping and electronic bugging, computerized information-sharing systems and regional, cooperative police "strike forces." Progress in these areas has been made, but the approach is limited.

Cosa Nostra has to be attacked as an *organization*, rather than as a motley collection of individual criminals whom law-enforcement officers should try to arrest one by one. Attorney General John Mitchell and Senator John L. McClellan have both proposed that the economic base of the organization be attacked by new statutes, similar to antitrust laws, which would divest organized criminals of their profits. Florida's Attorney General Earl Faircloth has recently used the same principle in filing a civil suit to close 21 businesses said to be infiltrated by organized criminals.

Another proposal is aimed at draining the swamp of corruption on which organized crime floats. It has been suggested that Congress pass a law making it a federal offense to bribe a local official, and also making it a federal crime for a local official to accept a bribe. Such a law would give the FBI and other federal agencies jurisdiction in local instances of corruption. This change certainly would slow down the organized crime action in cities like Chicago, New York and Newark. But it also would usher in nothing short of a revolution in city politics. The Federal Bureau of Prisons would have to reopen Alcatraz just for the state of Illinois alone.

Besides stealing the nation, organized crime is playing a major role in the decline of "respect for law and order" among urban youth. How can an inner-city boy be expected to "respect authority" when he knows that the policeman who arrested him for loitering is on the take from organized criminals, that the doorman for a Cosa Nostra crap game is an off-duty cop, that a local loan shark is in a crooked partnership with someone in the mayor's office, that a local bookmaker avoided a jail term by buying someone off, that the mayor who says he is for "law and order" plays illegal slot machines at his Elks club or American Legion Post?

The fact that organized crime activities thrive on corruption, including the corruption of indifference, is clearly related to youthful "street crime." To survive, inner-city boys must be astute observers of the facts of life. And one of the facts is, as the Task Force Report on Organized Crime phrased it: "The government is for sale; lawlessness is the road to wealth; honesty is a pitfall and morality a trap for suckers."

Donald Cressey

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"America, We Are Not Your *Boys*"

Face Down: Climax to the Hardship Tour

There seems to be consensus that today's college generation is the most politically aware that America has ever produced. If it is the most aware, it is also the most cynical. A scandalous void is perceived between the idealism of official rhetoric and the ghastliness of actual policy. The hallowed eighteenth century Beacon unto the World is more often pictured as a bludgeon unto the world.

On the optimistic side, widespread frustration with American policy since World War II may signal an end to the self-righteous nationalism that has historically, almost cyclically, been manipulated from arrogant tranquility into blind, violent crusades. It may even lead to that rational fusion of idealism and realism, principle and exigency that all students of the democracy's past failures point to. However, it could also be an indicator of a final disillusionment with idealism and the American political process, even a collapse of vaguest hope for the ideals themselves.

A highly vocal number have, of course, already proclaimed it impossible to continue within the System. They see an amoral political world where nonviolence emerges only when the cost of violence exceeds the value of goals in dispute, not because violence is "wrong." The word "peace" spews from the mouths of statesmen and politicians only as a shallow defer-

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ence to popular emotion. Policy itself seems to have a hidden momentum, with citizen and decision-maker alike unable to perceive what is happening until it is too late, and then unable to slow the wheels long enough for full examination, let alone realignment. Dissent within the terms of the System has so far led only to savage polarization of attitudes and more stagnation of policy.

Certainly not all youth have given up on American democracy. There is a "silent majority" who either fail to see any "gap" between rhetoric and action, or feel that the contradictions are not really that horrendous, that at any rate the mistakes will be profited from in the future.

There is another nonvocal element of the college generation, perhaps the smallest group of all, one never labeled as a political bloc. I am speaking of those who *were* politically aware and saw the contradictions in policy, but were also personally faced with the draft after graduation. The complex issues debated on campus dissolved into three choices for us: go to jail, duck out of the country or become a part of the military.

Most of us facing the draft were not college graduates, and most of those who were probably lost no sleep over the morality of national policy. Of those who did, perhaps an even smaller proportion wound up with the infantry in the Republic of Vietnam. But this was the destiny of a few of us. After serious and tormenting thought, we chose to accept conscription, and less than a year after the end of student deferments our class rings were glistening against the Asian sun from the open side of a helicopter as we made our first combat assault.

For us the questions of "patriotism," an "immoral war," "our place in Asia," "duty to personal principle" became more than topics of cocktail debate and campus rally. My bitterest memory of Vietnam is the inevitable chaplain's visit whenever we suffered a killed-in-action. We would cut a landing zone and the next morning a helicopter would fly him out to the jungle. He would play "Taps" on a portable tape recorder and then comfort us with thoughts of how our dead comrade had willingly lain down his life in defense of our country and all its cherished ideals.

Returning to the world, I found myself – and remain – in a vacuum. The bitterness and division are several times more evident and widespread than when I left home. In the fury of all the rhetoric the GI has been reduced to little more than an abstract, paternalistic figure of speech. "Let us learn from the tragedy and resolve that our boys will not have died in vain." "Stop the war and bring our boys home." "Support our boys all the way and let them seize Victory."

America, we are not your *boys*.

After Vietnam the confident righteousness and boisterous tone of the undergraduate ring with a marble hollowness. When it is learned in the student union that you have been there, the conversation rarely goes further than, "You look healthy, anyway. Where did you go on R&R? How were the girls? Was it a long plane ride home?" Communication with our former peers becomes almost as distant as with the grandfather who volunteered in 1918.

As undergraduates, we too could grapple with the paradoxes and contradictions in our own minds. Some of us could go further and picture ourselves as the Crisis Managers and Cold Warriors of the 1970s and '80s. We would ourselves create an entirely new framework of priorities and policies – when our time came. We saw the failures and gaps but quietly decided that "America" in the abstract *was* worth fighting for, even in a "bad" war, that after having served we would be better able to alleviate the mistakes and atrocities.

But now, looking at the world around us and how it looks at "its boys," living with our own memories in a context of inflamed polemics, can we be so cold as to wield our experience as a personal asset in entering the flurry ourselves? Not many have.

Beneath the simplistic political argument there seems to be a conscious desire across the entire nation to ignore our new presence in domestic society, a reluctance to be personally faced with a living image of the ghastliness. Everyone at this point only wants to get out of the mess and forget it. As on the campus, any response evoked by the presence of the veteran is at best a remote, pitying sympathy. "It must have been bad."

We too want to forget the mess. Yet there will always be some stigma, positive or negative, at having been a physical part of it. Some may codify us with the self-righteous cavalryman butchering helpless Indian squaws; the once-unknown village Mylai is already as famous as the once-unknown country Vietnam. Perhaps in 30 years the popular image of the Vietnam GI will be one of an unthinking subhuman machine blindly submitting to the state. Even more repulsive is the image of some future Patriot rising to national power with a chest of Asian medals and the bellicose slogan, "Proud to have fought for America and Freedom in Vietnam."

As for our own lives, the bitterness and sense of emptiness will no doubt partially wear off with time. Regardless of how we find our place in America with the new status as veterans of an unwanted war, the memories are with us for good. The sleek Cobra gunships and their rockets and mini-guns. The KIAs. The chaplain, the altruistic, violent divisions at home. There is a popular engraving on cigarette lighters in Vietnam: "When I die bury me face down, so the whole world can kiss my ass."

William G. Pelfrey

WILLIAM G. PELFREY *returned from the infantry in Vietnam this April.*

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The Right to Be Seen and Heard

I - If You're a Candidate

Some congressmen thought they were dreaming three months ago when the Senate suddenly voted to curb sharply television spending in Presidential and congressional campaigns. Cutting into the income of broadcasters? But a House committee is contemplating an even stronger bill, and before long well-heeled candidates may not be able to buy a half hour more tube time than their poorer opponents. It's not the Kingdom, but it's a step toward disciplining technology to the requirements of representative government.

The Campaign Broadcast Reform Act passed by the Senate would forbid anyone running for federal office to spend on TV (and radio) advertising more than seven cents times the total number of votes cast for that office in the previous election. (Governor Nelson Rockefeller's ceiling this year, for instance, would be about $430,000.) The bill would require stations to sell political ads at their lowest commercial rates (which range from $50,000 for a one-minute spot on prime network time to $100 a minute on a local station), cutting costs 35 to 50 percent; finally it would repeal in Presidential elections the "equal time" provision, under which any station giving free time to one candidate must give equal time to his competitors.

Although bills aimed at controlling campaign spending have popped up every year since the early sixties, they quickly dropped from sight. The cost of politics, however, especially on television, has reached crisis proportions: by the time all production costs were included, $90 million had been paid in 1968 for political broadcasts, almost one-third of total campaign expenditures. Electronic media advertising in this year's congressional elections should exceed $50 million, over 90 percent coming from one percent of the population.

Members of the House Interstate and Foreign Commerce communications subcommittee don't think the Senate bill goes far enough, and they are right. The hastily passed Senate bill ignores primary campaigns although the Committee for Economic Development points out that the "money is more likely to be decisive in primaries than in final elections," especially in one-party districts, or for nonincumbents without machine endorsements. Two cases in point (both are commendable candidates) are the Democratic senatorial nominee in Ohio, businessman Howard Metzenbaum, and the winner of the recent New York senatorial primary, Richard Ottinger – both of whom reportedly spent a million dollars or more, mostly on television. Last week the subcommittee reported a bill with two new provisions tacked on, limiting TV-radio spending in federal office primaries (except Presidential) to half the seven-cent formula, and authorizing states to establish ceilings on state and local contests as well. The bill would require that no station sell time unless the candidate first asserts in writing that his purchase will not boost his spending over the prescribed limit; violation could mean two years in jail or loss of his congressional seat, if he's victorious.

The Senate would make the legislation effective immediately after passage; the House subcommittee would wait until January 2. It is cautiously predicted that agreement on a bill will come by late summer, but it faces some stiff opposition. The networks don't like the idea of legislating large air time discounts, since they don't like the prospect of less income – profit "gravy," former NBC vice president Paul Klein calls it. Republican congressmen, who voted almost down the line against the Senate bill, think the spending limit would be a boon to the Democrats, who are $9.3 million in debt. In addition, some Republicans (and Democrats) charge that the bill favors incumbents, whose constant use of media throughout their terms gives them a built-in edge; with limited access to television, a challenger with money could no longer wage a TV blitz to overcome that advantage.

The networks have argued for years that "equal time" hinders rather than encourages TV discussions by Presidential candidates, since if the two major contenders are free-loaders, stations are obliged to give the same time (in the words of Sen. Norris Cotton) "to every Tom, Dick and Harry . . . that have an interest in political affairs." The point is a good one. But giving the stations, as the Senate and House bills would, full authority to decide who gets free time and who doesn't has its hazards, too. Networks have assured congressmen that if the "equal time" clause is eliminated, they would allow "fair" time to any third or fourth party candidate. But it this reassurance adequate? NBC president Julian Goodman has complained that applying the equal time clause in 1968 would have obliged his company to give time to at least 10 different Presidential candidates – a gross inconvenience only if one overlooks the fact that broadcasting is a very profitable business, and that stations operate on a limited number of airwaves owned (theoretically, at least) by the public. If unlimited access to the air by office-seekers would overburden stations with every self-proclaimed candidate in the nation, then Congress should modify equal time to cover only those candidates who are on the ballot in 75 percent of the states – or some similar formula, as former FCC chairman Rosel Hyde and others have suggested.

Finally, setting a *monetary* as opposed to a *time* limit on campaign spending may be impractical. The Senate voted the seven cents ceiling only because John Pastore (D, R.I.) wanted five cents, Phil Hart (D, Mich.) wanted ten cents, so they compromised. Other than that, "no one knows where the figure came from," says a congressman on the House committee;

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inflation and rising TV costs may render the limit obsolete anyway. Moreover, costs for one minute of time vary greatly from state to state, city to city: one dollar can purchase more time in Nebraska than in New York City.

The bills under consideration are better than none, but before long Congress ought to assert that the public thinks highly enough of political office to give campaign time to candidates, rather than make them pay for it. The Twentieth Century Fund, a top research group, recommends giving Presidential candidates big chunks of time according to the strength of the parties they represent (the plan could apply to all political elections as well). It suggests that the Treasury foot the bill at 50 percent of commercial advertising rates, and allow the networks a tax rebate on lost dollars. Then, during the five weeks preceding the election, each of the candidates would broadcast his message over all television and radio networks simultaneously in regularly scheduled periods called Voters' Time. The fund would go on to allow candidates to purchase as much additional time as they could afford.

A more equitable compromise would be to guarantee a fixed amount of free time to candidates at all levels, roughly proportional to the size of the constituency, the importance of office, and whether it's a primary or general election; and then allow candidates to purchase a *limited* amount of additional time.

Daniel Zwerdling

II - If You're Antiwar

The FCC didn't foresee, when it required broadcasters to carry antismoking messages correcting the claims of cigarette sponsors, that it was opening the sluices. Should, for instance, ads for cars and gasoline be balanced by antipollution and antihighway-construction spots? Should army recruiters be answered on the air by pacifists?

The Commission on June 4 rejected out of hand three complaints charging television stations in Washington, D.C. and San Francisco with violations of the FCC's fairness doctrine requiring broadcasters to air both sides of "controversial issues of public importance." According to the complaints the stations had refused demands for time to rebut recruitment pitches for the Army, Navy, and Air Force which had been broadcast as public service messages. The controversial issues, it was said, included the Vietnam war, the draft, and the desirability of military service. "When," stated one of the petitions, "such a large segment of our population [is] vehemently opposed to our military involvement in Vietnam and the foreign policy that it represents, the advocacy of the benefits and advisability of 'volunteering' or 'enlisting' in the military, as opposed to seeking a deferment or exemption, definitely constitutes a controversial issue of public importance."

While Defense Secretary Melvin Laird has told his department that "propaganda has no place in . . . public information programs," the Department has placed ever increasing emphasis on question-begging self-promotion. The Pentagon spends at least $40.5 million each year for PR, an increase of 1500 percent since 1959 and twice the total appropriation for the FCC! By official estimate Defense spent $229,000 last year to produce 1000 radio spots and 260 television recruitment spots.

In content and the nature of their appeals the recruitment messages parallel those of commercial advertisers, stressing the enjoyable experiences, the associations with attractive people, one could reasonably expect from making the purchase. An ad for the Marines examined by the FCC extolled the educational opportunity, the financial rewards, the travel. At the very least the spots are vulnerable to charges of misrepresentation, since for most enlistees the pay is bad, the education limited, the travel is to Vietnam.

KFRC in San Francisco had aired 405 minutes of armed forces public service material between January 26 and March 1. The station refused requests for time to present material opposing military service. A complaint initiated by Women for Peace, the GI Association and The Resistance, charged that 14 other San Francisco radio and TV stations had refused requests for time; several others had failed to reply. Eleven stations responded that they already had presented conflicting views of the draft and the war in news and public affairs programs and that that would have to suffice. Two Washington D.C. stations WRC-TV and WMAL-TV, also denied local requests. WMAL offered as an alternative, time on a program called "Outlook" and WRC offered time on two religious programs.

In exercising what Chief Justice Burger once called the FCC's "curious neutrality-in-favor-of-the-licensee" the Commission chose not to dispute the judgment of the broadcasters, which was that the messages in dispute did not raise directly the issue of Vietnam or the draft, admittedly controversial in themselves, and that promoting enlistment was not a matter of controversy. The basis for this latter conclusion is that the government has an uncontested right to raise armies, and that it is no more controversial to advertise for enlistees than it is to recruit policemen, firemen, teachers, census enumerators and Peace Corps volunteers. The Commission said that it wouldn't substitute its judgment for that of the broadcasters and, in any case, agreed that the war and the system of conscription were peripheral. Moreover, the stations, it was concluded, have the right to determine for themselves

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the kind of coverage they will give in fulfilling their obligations to the principle of fairness. The obligation may, in other words, be disposed of through news coverage, discussion programs etc. The amount of time granted is a matter of broadcasters' "good faith."

The Commission's decisions were disappointing to Commissioner Nicholas Johnson, who issued a particularly strong dissent largely ignored by the daily press. "Today," he wrote, "one branch of the federal government ignores the orderly complaints of its citizens and rules that another branch of that same government, the US army, can propagandize without preserving for the young their First Amendment right to self-defense." Those opposed to military service and the war "are now left with nothing but the recourse of demonstrations and draft-card burning to attract the largess of the news media's television cameras."

Johnson campared the decision to the three-year-old ruling requiring antismoking commercials. The appeals of the advertising are similar, he said, and equally deceptive; the dangers are comparable. "Once the desirability of military service is placed in issue," Johnson wrote, "I simply do not see how one can avoid a discussion of what one will be doing, where one will be doing it, and how one will be rewarded." The right of the government to raise an army is parallel to the cigarette industry's self-professed right to legally advertise legal products. "If the commission had applied similar reasoning to cigarette advertisements, . . . we would presumably have ruled that cigarette advertisements raise only the issue of whether cigarette manufacturers have the right to recruit customers."

As this is written the conservationist Friends of the Earth, with support from the city of New York, has pending a petition against WNBC-TV asking for time to reply to car and gas ads with spots reporting that cars are the major source of air pollution – a problem more vast than cigarette smoking since it affects everyone, not just those who drive. Business Executives Move for Vietnam Peace has a complaint concerning its unsuccessful attempts to *buy* time for anti-Vietnam spots on WTOP-TV (owned by *The Washington Post*). WTOP has answered that the subject matter is too complicated to be covered in spot announcements.

David Sanford

The Mines Are Still Unsafe

Confusion in the Coalfields

by Ward Sinclair

They're playing games again with the coal miners. The miners' latest grievance is the Department of Interior's maladministration of the new coal mine health and safety law. So unique is the law for its breadth, precision and intent that Secretary Walter J. Hickel views it as "revolutionary." But Interior is either unable or unwilling to cope with "revolutionary" mandates from the Congress. Through plain inefficiency or willfulness Hickel's people so far have made a shambles of the law. Some suspect ulterior motives, an accommodation with industry. "In my 25 years here, I've never seen so much confusion at the top," says a Bureau of Mines veteran. So bewildered was Interior at one point that it completely suspended inspections. Since then, inspections have limped along at a rate and scope far less stringent than the law directs. In the mines, production stays abreast of 1969, but deaths during the first two months in which the law was in effect (April and May, 1970) were higher than during the corresponding period last year – 34 as against 29. Industry, large and small, wants to water down the law.

West Virginia Rep. Ken Hechler, Congress' one-man safety gang, speaks darkly of a "dangerous situation" and a "revolt" in the coalfields. Three weeks ago between 20,000 and 30,000 men in Pennsylvania, Ohio and West Virginia – acting in the absence of any interest by their leaders in the United Mine Workers (UMW) – staged a wildcat strike over unsafe conditions and Interior's handling of the law. As an anti-strike injunction was being argued at Pittsburgh, UMW boss Tony Boyle had his lawyers on the side of the coal

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companies. As usual, the miners lost. Now, there is talk of a nationwide closure of the mines.

A year ago, in the wake of the Farmington disaster (78 men killed) and the miners' black-lung rebellion in West Virginia – again in defiance of Boyle – things started looking up. Congress was moving along on the landmark safety bill. An underdog Jock Yablonski had emerged and was proclaiming a new day of dignity for the UMW. He promised that once he became UMW president, he would send Tony Boyle to jail.

The election lampooned the democratic process and Yablonski lost. But on Dec. 30 President Nixon signed the new mine safety act. A day later, Yablonski, his wife and daughter were murdered.

For the miner it's been a bottomless spiral ever since. The Labor Department sued to overturn Boyle's election but has not pressed the case with vigor or much of anything else. A Senate probe of the UMW, headed by Harrison A. Williams (D, N.J.), the labor subcommittee chairman whose reelection this fall counts on help from Big Labor, has dawdled along with no continuity, little zest and uncertain purpose. The federal grand jury at Cleveland remains stymied over the source of payoff money to the Yablonski killers, although the witness list makes the union the number one suspect.

The one clear fact that emerges is that there will be no effective safety law as long as the Boyle-led union remains off to one side as a quiescent observer, worrying more about next year's contract wage than it does about men's safety today. Yablonski tried hard to get that message across. Ironically, with Yablonski gone, it is the UMW's aloofness on the safety law that finally may lead rank-and-filers to the unity that has eluded them for so long. The Yablonski faction, banded together as Miners for Democracy, has joined with the lonely safety "hawks" on Capitol Hill and stepped into the void created by government inaction and Tony Boyle's vacuous disinterest in the safety issue.

The earliest hint of trouble came last December when the President voiced "reservations" about the mine safety law he was signing. "The act may present problems of administration that require legislative changes," Mr. Nixon predicted. It did.

On March 1 – a critical point, as the department was readying regulations that the law required to be in force by month's end – the President fired Bureau of Mines director John F. O'Leary, a talented career man who had guts enough to talk back to the coal bosses. On May 6, the White House nominated a successor – Dr. J. Richard Lucas, a mild-mannered professor from Virginia Polytechnic Institute who, it turned out, had been rejected as a candidate for the same job in 1965. At this writing Lucas still has not been confirmed by the Senate Interior Committee, where questions linger about his coal-industry moonlighting, his bulky financial portfolio (mineral stocks) and his tepid stand on mine safety.

Interior was required to publish by March 2 regulations on coal-dust measurement methods. The deadline was missed; regulations weren't released until after Hechler and two other congressmen filed suit March 24. Then on March 28 – two days before they were to take effect – Interior published 37 pages of mandatory safety standards and promptly began enforcing them, although in most areas coal operators had not the slightest idea what the requirements were. Claiming an "emergency," Interior allowed no time for public comment on the standards, as it usually does.

Operators and reformers alike hit the roof when they glimpsed the penalty section of the rules. Congress had decreed that penalties should be assessed mine-by-mine, weighing factors such as past violation history, company solvency, size of mine and so on. Interior laid out an across-the-board penalty system which ignored these factors entirely. Virginia small-mine operators promptly went to court and won a restraining order against enforcement of the March 28 regulations. Not only did the department not send its top lawyers to do battle (one's plane ticket was ordered cancelled); it suspended inspections for a day all across the country, although the judge's order applied only to 77 plaintiffs in Virginia. Rather than revise and republish the regulations so as to deprive the court action of any significance, Interior interpreted the order to apply nationally. And while the department was restrained from enforcing its fines, Under Secretary Fred Russell amended the fee schedule: it would cost a miner more for smoking underground ($5) than it would cost an operator for a safety violation ($4).

Reps. Hechler, Phillip Burton (D, Calif.), and James O'Hara (D, Mich.), have gone back into court with a suit seeking abolition of the penalty schedule and, more importantly, adherence to the congressional mandate on inspections. Pleading a shortage of inspectors, the Bureau of Mines has virtually ignored the requirement that more than 200 excessively gaseous – thus, explosive – mines be spot-inspected every five days.

Meanwhile, confusion in the coalfields is so rampant and operator displeasure so sharp that Interior is talking about revising its regulations. As in the pre-O'Leary days, closed-door meetings with the industry and Boyle representatives have resumed, with the Yablonski forces excluded. The miners have come to believe that Boyle represents someone else. He didn't fight for O'Leary, he supported the Lucas nomination, he failed to join in the Virginia court action, and he hasn't gotten excited about the absence of inspections. His lawyers claimed the wildcat strike was purely political; the mines weren't unsafe. When last seen publicly in the nation's capital, Tony Boyle, in vanilla suit and pink shirt, was at the British Embassy, sidling up to the strawberries at the Queen's Birthday party.

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Bad History and Worse Policy

A "Korean Solution" For Vietnam?

by Frank Baldwin

Senator Hugh Scott, Republican Minority Leader, revealed Administration long-range thinking in little-noticed testimony before the Senate Foreign Relations Committee on February 4. While defending the Administration's Vietnam policy, Scott conceded that American troops would probably remain in Vietnam after "Vietnamization." He asserted that if our troops are indefinitely required in Vietnam, the public would support that decision, adding that the people's judgment would "surmount the hysteria of a limited number of critics." He noted that the American people accepted the continuing presence of 50,000 (sic) troops in South Korea 17 years after the Korean War ended.

The strategy of a "Korean Solution for Vietnam" rests upon a judgment that the cost in dollars and US casualties of a "residual force" in South Vietnam for 10-20 years will be tolerable to the Congress and the American people, that the military and political situation in South Vietnam is similar to that of South Korea in the early 1950s, and that the results of the armistice in Korea were sufficiently satisfactory to serve as a model for ending the Vietnam War and for postwar policy. Led into the Indochina war by a spurious analogy with World War II – "Ho Chi-Minh equals Hitler, Vietnam equals Munich" – the public is now offered a far-fetched comparison with the Korean War to explain how we will get out.

To review the record in Korea, in July 1953 the United States, acting for the United Nations, negotiated an armistice with North Korea and Communist China that ended three years of fighting. A Demilitarized Zone was created across Korea, along existing battle lines, as a buffer against renewed fighting or subversive infiltration. The armistice settlement has been effective militarily, i.e., no large-scale fighting has occurred since 1953.

Proponents of the "Korea Solution for Vietnam" note that since 1953 South Korea has increased its security *vis-a-vis* the North, attained political stability, achieved impressive economic growth in recent years and become a steadfast ally of the US: what more could anyone want? For Vietnam they see first a *de facto* armistice if negotiations fail, then a period of economic and political recovery, guaranteed by a US "residual force," and finally the emergence of an "independent," non-communist ally.

The Administration *is* moving toward a "Korea Solution for Vietnam." But is the South Korean experience applicable to South Vietnam? *Should* the Korean formula be applied to Indochina?

American casualties and the level of violence in South Vietnam will hinge upon the rate of infiltration and the possibility of renewed local insurgency during and after "Vietnamization." A comparison of the key factors in the South Korean and South Vietnamese situations suggests more dissimilarity than analogy.

South Korea, the southern part of the Korean Peninsula, has no common borders with any other state except North Korea; it is surrounded on three sides by water. Its closest neighbor, Japan, is economically strong, politically stable and an ally of the US. South Korea was able to use the armistice to recover from the Korean War in relative isolation, thanks to the stability of Northeast Asia, free from concern about or interference by adjacent states.

South Vietnam shares a 900-mile common border with Laos and Cambodia, both areas of endemic conflict and political instability. Disguised US operations in Laos and the overt invasion of Cambodia have both been justified for "the security of South Vietnam." President Thieu's determination to continue military operations in Cambodia indicates an endless military adventure there even before a military settlement in South Vietnam. Laos and Cambodia face decades of bitter civil war and foreign intervention; it is not likely that they will allow South Vietnam to be a sanctuary.

South Korea is a land of craggy, often denuded mountains and rice-producing valleys. There are no impenetrable jungles, no mangrove swamps, no dense forests – no terrain features hospitable to an insurgent movement. Severe winter weather naturally defoliates the underbrush, without help from the US Army or

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Air Force, especially near the DMZ; it is impossible to survive without warm shelter and protection. Guerrillas or infiltrators cannot move freely or live off the land. Infiltration from North Korea must be crowded into the spring and summer months.

South Vietnamese terrain and climate, by contrast, offer a guerrilla movement a compatible environment in all seasons. Tropical rain forests, marshy swamp areas and rugged, overgrown mountains afford natural havens to rural insurgents. A benign climate, tropical in the Mekong delta and moderate in the central lowlands and mountains, keeps the undergrowth verdant and allows guerrillas to live off the land, even under the land, year-round. Infiltration and guerrilla activity are not seasonal in South Vietnam.

Despite a flurry of serious incidents in 1967-68, infiltration from the North has not been a serious problem for South Korea. There are only two infiltration routes: on foot, across the heavily fortified DMZ, right at US and ROK frontline units, or by boat, by secret landing on South Korea's lengthy but well patrolled coastline. South Korea's natural protection against infiltration has been supplemented by alert, tough and experienced security agencies – the National Police and the ROK Central Intelligence Agency and military counterintelligence – ample funding and modern equipment and, most importantly, a rural population that invariably reports North Korean agents to the authorities.

According to United Nations' statistics, there were only 59 serious infiltration incidents in 1965, 50 in 1966. In 1967, in apparent response to South Korea's deeper involvement in South Vietnam, North Korea began a campaign of terror, the dispatch of armed guerrilla units with the mission "to establish bases in the South," and harassment of US and ROK units along the DMZ. Serious incidents rose to 566. In early 1968 a North Korean commando unit made a spectacular attempt to assassinate President Park, the most dramatic violation of the armistice agreement to date. Shocked by the attack on President Park, South Korea, with extensive US assistance, moved swiftly in 1968 to improve and adjust its defenses. The government obtained modern equipment, organized a Homeland Reserve Force of over two million men and put the entire country on alert. By mid-1969 these countermeasures had paid off; North Korea found the new tactics too costly in personnel and unsuccessful. The dispatch of commando units was curtailed and serious incidents tapered off.

North Korea's increased infiltration did not even hurt the "investment climate"; South Korea continued to attract foreign capital. While irritating, infiltration poses no threat to South Korean security or even public safety. There have been far more bombings in Seattle and New York in the last year than in all South Korea since 1953. After three years of intensively trying for a "Vietcong solution for South Korea," North Korea's tactics have ended in failure.

But North Vietnam, Secretary of Defense McNamara testified in 1967, was able to infiltrate up to 5000 men a month despite the heaviest bombing attacks in history. Operating through trails in Laos and Cambodia, or across the DMZ, under cover of dense jungle underbrush, North Vietnam as late as January 1970 was estimated to be moving 10,000 men and vast supplies south *every month*. Unlike Korea, where in most cases infiltrators have been individuals or 2-3 man groups, North Vietnam has moved regular army units – entire regiments – into South Vietnam at will. According to US military estimates, there are 21 North Vietnamese regiments operating in the five northernmost provinces alone. All US efforts at interdiction at the borders – McNamara's Line announced in 1967, Special Forces' camps, reconnaissance units of mountain tribesmen, an arsenal of electronic listening and spotting devices – have failed to halt the southward movement. To restrict infiltration at present levels after "Vietnamization" would require an estimated 200,000 troops and up to $1 billion in sensitive US electronic equipment. South Vietnam lacks both the troops for border duty and the trained technical personnel to operate the costly anti-infiltration network. By rough comparison, more North Vietnamese move into South Vietnam in any two month period than North Koreans have infiltrated into South Korea in the 17 years since the Korean armistice.

The Korean War began with an overt, full-scale invasion across defined boundaries, was fought by professional armies and involved the rural population only as casualties, draftees or refugees. No rural-based insurgent movement held control of any part of the countryside, established an administrative organization, or gained widespread popular support before 1950. One serious communist uprising on Cheju Island was crushed in 1948; other dissident attempts were quickly controlled by the government. At the time of the 1953 armistice the South Korean government faced no organized, embittered, determined, potential insurgency movement in the countryside. On the contrary, the farming population was relieved at the end of the fighting, appreciative of United Nations' support and assistance and responsive to anti-communists. The rural population settled down to recover from the war and, despite real poverty and distress, has remained immune to North Korean blandishments.

In South Vietnam, Saigon governments over the years, long before infiltration from the North began, have been fighting against a rural insurrection based in South Vietnam, the Vietcong. Large parts of South Vietnam have been under Vietcong control for years and the guerrillas have local roots and local support.

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Until 1965 South Vietnam was fighting a civil war against its own peasantry. The introduction of US forces and their tactics – massive infantry sweeps, search and destroy, terror shelling and bombing, relocation of the population into refugee camps and massacre – have taken a ghastly toll in the countryside. "Noncombatant" dropped from the military lexicon as women and young children fought against the South Vietnamese government and the US by placing deadly booby traps and providing intelligence information to the Vietcong and North Vietnamese.

Regardless of political developments in the Saigon elite and after five years of US intervention, the countryside of South Vietnam is full of maimed, dispossessed, embittered peasants who may be expected to support local insurgents. The legacy of this unprecedented violence against ordinary farmers and their families is likely to be a simmering, "scores-to-be-settled" unrest for years. Will the villagers of Mylai 4 report the Vietcong or North Vietnamese infiltrators to the authorities?

The ominous implications of a "Korea Solution for Vietnam" have been made clear recently in South Korea itself. Since 1953 the US has provided over $8 billion in economic military aid. To help maintain the armistice the US has placed atomic weapons in South Korea and kept two infantry divisions, air force units and support troops – currently 64,000 men – there in a semipermanent garrison force. The South Korean economic growth rate has averaged better than eight percent for the past several years and she is militarily strong enough to send over 50,000 troops to fight in Vietnam.

Yet in May when the Administration announced that some US troops would be withdrawn from Korea, promising $1 billion in new arms to strengthen South Korea's military forces, the reaction was "anger, shock and seeming panic." An aide to President Park Chung Hee accused the United States of "a breach of international faith," and spoke of broken promises by President Johnson, Secretary of State Rusk and other high US officials.

President Park was more restrained a few days later, acknowledging his understanding of the Nixon Doctrine, but warning that "the continued presence of the United States troops is absolutely necessary until we have developed our own capability to cope successfully with North Korea." Park estimated that US troops would be needed in South Korea at least until 1975.

In short-range, US policy objective terms, South Korea is a success story. Generous US aid, firm military defense, strong and capable South Korean economic and political leadership have paid off in terms of US policy and interests in Northeast Asia. And still, large numbers of US troops will be needed until 1975, a token force thereafter, a full 22 years after the armistice. To withdraw most of its troops, the US will have to provide the ROK armed forces, probably already the best in Asia, with another $1 billion in arms just to maintain the *status quo* in a non-war area. With all that done, the US will still have a token force of 5000 men in South Korea, still be responsible for air support and still have an obligation under the Mutual Defense Agreement to go to war in Korea again if North Korea attacks.

And success wasn't cheap. The Pentagon estimates the annual cost of one US division in South Korea at $500 million. Two divisions multiplied by 22 years (1953-1975) amounts to about $22 billion for the infantry part of the "residual force" in South Korea since 1953. The costs of support troops, Air Force units, occasionally losing a ship like the *Pueblo*, swell that figure.

Until the size of the "residual force" in Vietnam emerges from the smokescreen of Pentagon secrecy and press agentry – estimates run from 20,000 to 150,000 – costs cannot be estimated. With the prospects of continued insurgency and high infiltration from the north, and the need for US ground combat operations and air support, the expenditures for a "residual force" in South Vietnam will be incomparably higher than in Korea. So will US casualties.

The cruelest deception of a "Korea Solution for Vietnam" is the notion that the "Korea Problem" itself was solved. The "Korea Solution" was no solution for Korea and will not be one for Vietnam. The "solution" in Korea was an expedient improvisation – even our ally, Syngman Rhee, bitterly opposed it in 1953 – which left unresolved the basic issues of the Korean civil war. Consider Korea 17 years after the stalemate: the small peninsula is divided into two benighted, unnatural political entities, each dependent upon foreign assistance. North and South waste their scarce resources in a mini-arms race. An entire generation, North and South, has come of age nurtured on hatred for their countrymen across the DMZ. Sustained hostility and the threat of renewed war has shaped societies where civil liberties have been curtailed or erased. Since the half-hearted effort at Geneva in 1954 there hasn't even been an attempt to solve the "Korea Problem" through negotiations. Instead, there is the non-solution of an armistice without political accommodation and the continued possibility that an incident in Korea – remember the *Pueblo* or the EC-121? – may start a nuclear war.

Glib assertions of a "Korea Solution for Vietnam" are bad history and worse policy. Talk of a "Korea Formula" masks an indefinite military and economic commitment to South Vietnam. The Korean experience indicates that there is no "Korea Solution" for Indochina, only an American solution: swift and irrevocable curtailment of American involvement.

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Stanley Kauffmann on films

Myra Breckenridge And Other Disasters

Here is a short list of current films that, for various reasons, may sound amusing but aren't.

Myra Breckenridge (20th Century-Fox). Thousands of people thought Gore Vidal's novel more entertaining than I did, but it did have a consistent airy impertinence. The film looks like an abandoned battlefield after a lot of studio forces tussled and nobody won. The story, for one thing, is indecipherable. If you don't know the book, you'll be confused; and if you do know the book, you'll be confused about why they couldn't at least tell the story clearly. The story of Myron-Myra (that hyphen represents a scalpel stroke), adrift in modern Hollywood and in love with its past, has been reduced to a series of salacious scenes, disconnected and with no conclusion. The best jokes are the inserted clips from thirties movies – Shirley Temple, Laurel and Hardy, etc. – which are used as comment somewhat in the manner of the late Lew Lehr.

Raquel Welch, the Myra, would please any pasha but is a bore out of bed – particularly on the screen. Rex Reed, the journalist, makes his film debut as Myron. For months Reed has been saying with ostentatious candor that the picture is terrible; I haven't heard him say that *he* is terrible.

Mae West returns to the screen as a man-hungry agent. At 78 her figure and style are still pretty much in control; at 78 her lickerish jokes are a bit gruesome. John Huston plays the head of a Hollywood acting school and continues his long process of degradation. Almost every time I see a new film directed by Huston (he didn't direct this one) I find some small consolation in the fact that James Agee died prematurely and couldn't see the collapse of this man whom he valued highly. When Huston cavorts in front of the camera like this, I wish it were he who had died and Agee we still had with us.

Myra was directed by Michael Sarne, the young Englishman who did *Joanna*. That film was a blob of Mod sickness, full of blatant cinematic opportunism, but at least it had the courage of its insincerity. *Myra* isn't even good opportunism.

Beyond the Valley of the Dolls (20th Century-Fox). Russ Meyer has made a reputation and a fortune as producer-director-author of nudie quickies; and since it's impossible these days for anything in the pop vein to be so tawdry that it won't find "serious" critics to extol its virtues, Meyer has had his palpitating polysyllabic celebrants. I saw a half-hour of one Meyer film, *Cherry, Harry & Raquel*, which was all I could stand: not because that half-hour contained (off-camera) fellation and back-seat balling, with obviously much more ahead, not because it was crammed with high-school smutty talk, but because the picture reeked of hate – hatred of women in the good old red-blooded, tail-chasing, American he-man way. The "poetic" shots of naked girls running through fields were *Playboy* centerfolds in motion – harmless window-dressing. (Undressing?) But all the men-women scenes were full of bile and viciousness towards women by men who hate their sexual need of them. I like women; so I couldn't stand the film.

Others could: and have liked the entire Meyer canon. On the basis of his success – Meyer's *Vixen* cost $72,000 and grossed six million – he was invited to come to 20th Century-Fox to help save that financially floundering studio. He got a script by Roger Ebert, film critic of the *Chicago Sun-Times*, unrelated to Jacqueline Susann's novel of similar title. (There is a disclaimer at the beginning to keep everyone's pride spotless.) It deals with a girl rock-trio and their adventures in sinful Hollywood, with incessant fast cutting to keep it current, and incessant *double entendre* of word and image. It also tries to deal doubly in the current with-it mode: to be simultaneously "camp" for the cognoscenti and straight excitement for the yobs; but the "camp" veneer is thin, and the result is utter garbage. The last sequence – a rampage of murders by a crazed hermaphrodite – goes past trash into obscenity. One of the several murders we are shown: the assassin inserts a pistol in the mouth of a sleeping girl, waits till she opens her eyes, then pulls the trigger. And then we get a quick profile shot of blood spurting from her eyes and nose and skull.

If this is what 20th Century-Fox needs to save itself, why bother?

On a Clear Day You Can See Forever (Paramount). Richard Rogers once said that he had sometimes been involved in musicals that started wrong, and he knew it, but he simply lacked the will to quit and kept on working hard till the show reached the inevitable disaster. I thought of that comment when I saw the Broadway production of this musical by Alan Jay Lerner. It was about a girl possessed of various psychic powers: she could make flowers grow by talking to them (like Lob in *Dear Brutus*) and could remember previous incarnations under hypnosis. In every way the book and the score (by Burton Lane) were as barren as that idea promised.

But it is obviously hard to find material for Barbra Streisand, so that musical has now been filmed and, though not improved, is evidently a hit because of her. Vincente Minnelli, who has directed some good musicals (*An American in Paris*) seems to have been paralyzed here by the arid materials, and vacillates between nothing and too much.

Miss Streisand is possibly the only fishwife ever to become a star. She has broad abrasive theatricality, and she sings well, though without much individuality. (And she can do a passable stock-company English accent, which seems to amaze many.) But since *Funny Girl*, her performances grow repellent. In that first film she played Fanny Brice, who was Jewish. In the first half of *Hello, Dolly* (which is all I saw of it) and in most of *Clear Day*, she keeps trying to fight her way back to the Jewish vein of *Funny Girl*, which seems to be the only vein in which she is comfortable. What we are getting from her is the return of the 19th-century stage Jew. This is about as timely and ingratiating as the return of Stepin Fetchit would be.

Darling Lili (Paramount). This musical belongs on this list of disasters, right enough, still it is the most entertaining film of the lot. It picks a familiar lush patch and really plows it. Julie Andrews is a London music-hall star in

(Continued on Page 34)

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Reed Whittemore: Pulsating Disks and Dials

The Ultimate Threshold

Soviet Science Fiction, translated and edited by Mirra Ginsburg

(Holt, Rinehart & Winston; $5.95)

Other Worlds, Other Seas

Science-Fiction Stories from Socialist Countries, edited by Darko Suvin

(Random House; $6.95)

Day Million by Frederik Pohl

(Ballantine Books; $.95)

Despite the chromospheres and levitators, science fiction is very old-fashioned. Icarus and Daedalus flew deliberately into the sun in separate one-man spaceships, and the sun would have hotted them to juicy atoms if they had not (1) been surrounded by an extraordinary heat-resistant substance, and (2) been regular Rover Boys of togetherness, seeing each other through flaming cyclones. But they were. They therefore came out the sun's other side singing a fine old astronaut song for all earth to hear on radio. ("Icarus and Daedalus" by Henrik Altov – in the Ginsburg volume).

Or, more earthly, thus did Vovka, Leonid and Georgy, Ali and other biologist-theoreticians have a ball one night drinking wine and measuring each other's brain waves on an oscillograph. They discovered that all drunks have approximately the same wave patterns and that (this was the pay-off) "a human skull, such as may be seen in the biology lab of any school," produced "the feverish curve of the biocurrents of a man in the waking state." A brief technical explanation was then provided. ("When Questions Are Asked," by Anatoly Dneprov – in the Ginsburg volume.)

Science fiction can be and has been categorized in many different ways. For my literary tastes Kingsley Amis did the definitive job in *New Maps of Hell* (Harcourt, 1960). He characterized science fiction as presenting "with verisimilitude the human effects of spectacular changes in environment, changes either deliberately willed or involuntarily suffered," and he tended to pigeonhole and judge authors by their respect for verisimilitude. To be verisimilar is not of course to be accurate. How can one be accurate about something like proto-spuds in the Sirian system?

The editor of the Random House volume, Darko Suvin, describes verisimilitude as "possible strangeness," but he includes within the realm of the possible more than I think Amis would care for. My impression is that Amis would be distressed by the trend in science fiction, both East and West, since his book appeared, a trend toward a higher proportion of plain fantasy than the promoters of reason and worldliness can tolerate. On the other hand only a year ago we had the remarkable novel by Michael Crichton, *The Andromeda Strain*, which fits the notion of "possible strangeness" with frightening skill; and Frederik Pohl, one of the most popular American sf writers, remains a dependable master of the verisimilar. Furthermore there are several stories in these two socialist anthologies that would meet the Amis standards.

I think particularly of a story by a Pole, Stanislaw Lem, called "The Patrol." Lem has a single lonely astronaut zooming around in way-out space (a characteristically unrealistic situation, this Lindberghness, but once we accept it we're stuck); his name is pilot Pirks, and he has already been in 182 patrol flights and he is very bored. His boredom, as well as his preoccupation with looking at all the instruments on the dashboard, seems very real. Then an unexplained moving spot appears on his radar screen, and we could very well be in a war room of the Pentagon. Pirks copes with the strange object with appropriate technical busyness and solemnity. When he extricates himself from the grip of the ghastly spot, as two earlier astronauts had failed to do, and returns to earth with his evidence, then "physicians, psychologists and specialists in the field of astroneuroses and astropsychoses" take over. Eventually, nice as you please, the whole thing is explained as "the Leduc Harper Effect – the formation of loose charges in high vacuum cathode ray tubes," and a part of "Neugelheimer's atactic - catatonic - clonic syndrome." *That's* verisimilitude.

Lem is a fine satirist, and in "Patrol" he seems to be parodying the verisimilar itself. Why else write so matter-of-factly about somebody patrolling half the Milky Way? Yet he can change his mode of satire at will. In another story he abandons the scientific mode and writes à la Swift in the third book of *Gulliver*, of social muddle-headedness with little attention to the technical flim-flam. His hero, again a loner, zooms off for a nine year trip to Superphenomia, but is intercepted by some

s f

From my city bed in the dawn I
see a raccoon
On my neighbor's roof.
He walks along in his wisdom in the
gutter,
And passes from view
On his way to his striped
spaceship to doff his disguise
And return to Mars
As a Martian
Raccoon.

ERNEST LEVERETT

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amphibian types in the second year, while he is reading Plato and the like in his little spaceship, and arrested for having a can of sardines aboard. He is brought down for justice to a strange planet where they have greater respect for fish than he does. On that planet they are learning to live in water, though they haven't got gills (each day the party line changes on how to live in water – to the waist? To the neck? Silent? Gurgling?) Finally the hero escapes and travels to yet another planet where he confronts not party-line changes but excessive unchanging uniformity: all citizens, upon removal of their space helmets, turn out to have identical smiling faces. As explanation, Editor Suvin suggests that the fish-planet yarn is a complaint about Stalinism, and the uniform-heads-planet yarn a parody of American conformity. I wouldn't know, but the yarns are good, and in a wholly different mode from the one about pilot Pirks.

I gather that to be successful in sf, East or West, one must be like Lem a switchhitter. Miss Ginsburg is proud to report that a good many authors in her volume are genuine scientists – but some of her writers with the best credentials are the readiest fantasists. Yet Lem, in the other volume, has apparently never been more than a garage mechanic. No matter; he can talk up a scientific storm when he wants to.

Another master of both modes, and the only author who appears in both anthologies, is Anatoly Dneprov; he is a genuine physicist. The story of his I liked best, "The Island of the Crabs," applies Darwinian evolutionary theory to metal crabs with extraordinary effect – and the plot is such a good one that I won't reveal it. Editor Suvin takes the story as containing a political description of Fascism – but I doubt that any American reader, without priming, would make a connection.

Bridging the gap, so that a story about crabs *does* become a story about Fascism, is I suppose built into the overall aim of the genre. The best (and the worst) practitioners are ambitious; they don't want to be thought of as merely producing melodrama about BEMs (Bug-Eyed Monsters). But, as Amis observed, manufacturing BEMs and manufacturing utopias at the same time is a big order. For every writer like Lem or Dneprov, who can hold his own as physicist, political theorist and/or fantasist, there are a hundred creators who can't.

In America the really bad sf seems to be on the side of BEMs; that is, it's a blend of Superman and horror stories. In the socialist countries, if these two anthologies are an indication, the weakness is more apt to be ideological. To put the latter weakness in Amis' terms, the sf utopian story often reveals "a damagingly simple scale of values." What I found politically encouraging but literarily corny about the bad socialist stories was their obsessive humanism. They were terribly strong on people against the machines, strong on individuals against faceless types, strong on the full life of the mind as opposed to the bureaucratic life of the collective; but they were also heavy-handed and simplistic.

A characteristic ideological story out of Czechoslovakia – by Joseph Nesvadba and called "Vampire, Ltd." – has no interest at all in "possible strangeness" but in pointing an angry finger at the West's machine culture. Vampire, Ltd. produces a racing car that runs on human blood for fuel. "It's the best car in the world. It has sixteen speeds. Two spare brakes on each wheel. Acceleration no one has equaled to this day." It also takes blood out of your sole (soul?) as you press on the accelerator – a moral for the day.

Frederik Pohl, like Lem in Poland, likes to bat around between the scientific and the wacky. His best game is to infiltrate a perfectly commonplace contemporary situation with sf. In "The Day the Martians Came," he presents us with dozens of reporters, sitting around in motels near Cape Kennedy, awaiting an opportunity to interview astronauts who have just returned from Mars with a couple of captive Martians. The Martians are reputedly ugly and stupid by earth's standards, and these weaknesses are much aggravated by the excessive gravity on earth; so the reporters pass their time making over Polish jokes or Jewish jokes or black-face jokes into Martian jokes. Sample: What's a Martian high-rise? Answer, 27 floors of basement apartments. A black boy ends the story for us when the contemptible motel owner he works for says the Martians' coming doesn't amount to a hill of beans. Says the black boy, "Going to make a damn big difference to *me*."

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Pohl is perhaps too witty and brittle to be a model for sf buffs who like highmindedness with their BEMs. Pohl, to the serious editor Suvin, might be thought guilty of bourgeois cosmopolitanism. Yet he and Lem have a lot in common, and what they share is essentially literary rather than scientific or social. Their sophistication does not undermine their common respect for the old-fashioned business of tale-telling. They are not with the avant-garde. They do not go along with openendness in fiction. They accept that a story is a story is a story, and they go about their business figuring out a good plot with a surprise at the end.

The result is a happy one, East or West, for those of us who are fatigued with the portentousness of much contemporary artistic innovation. The practitioners can in effect forget about art and go on with their work – a healthy condition. I suspect that the mind that likes scientific speculation, East or West, is real square about art. If this is so, perhaps the cultures that spring up in Kyberra or the Nereida Nebula will be square too.

Wayne O'Neil: The Children's Crusade

Letter to a Teacher by the Schoolboys of Barbiana

(translated by Nora Rossi and Tom Cole)

(Random House; $5.95)

A lot of adults are writing about schools these days. They don't like the schools that are: not good places for children. So they would change them, fill them with clay and paints and unstructure and music and lights and poetry to release thereby the artistic creativity that is everychild. Pretty safe stuff. The establishment quakes not at all; in fact it joins in with the fun and games. Like psychiatrists, who confine their solving of men's problems within the simple and safe bounds of family and love and hate: men and their mothers and daughters; women and their fathers and sons, etc. (Oedipus, remember, *was* worried about the state), the creative critics of American and British education confine themselves safely and simply to mythmaking and canvas and potting. Analysts and "radical" educators bundle up their subjects in art and literature, and all together they retreat from engaging the problems that really bother: politics and economics and social class.

Students are not so myopic. See for example, *How Old Will You Be In 1984? Expressions of Student Outrage from the High School Free Press* (Diane Diovky, ed.; Avon, 1969). The Schoolboys of Barbiana are perceptive in the extreme. In their *Letter* they relentlessly and definitively expose the Italian public school system for what it is: an instrument for maintaining the status quo, for insuring that though 35 percent of the children in the schools are sons and daughters of peasants, 80 percent of those lost to the school during the first six years will be the sons and daughters of peasants, that 93 percent of the children of the "big shots" are on grade level or better during the elementary school years but only 55 percent of the sons and daughters of peasants are so fortunate, and that all of the children of businessmen and professional men graduate from high school but fewer than 3 percent of the children of dependent workers, and only 10 percent of the children of self-employed workers, so manage.

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document: for its statistical work in this book, the School of Barbiana was awarded a prize by the Italian Physical Society, a prize generally given to promising young physicists. But better than that it is an empirical study for everyman; for the boys write it out simple and straight, plain in words, figures and graphs for all who care to see. The Barbiana *Letter* is their manifesto, and it is not aimed at professional educators: *"This book is not written for teachers, but for parents. It is a call for them to organize."* Consequently the language of the *Letter* like its statistics is simple, honest, non-obfuscating. Though the ultimate goal of education and "the right goal is to give oneself to others," the immediate goal "is to understand others and make oneself understood. . . . We must become amateurs in everything and specialists only in the ability to speak." Thus the rules of good writing are simple enough:

> Have something important to say, something useful to everyone or at least to many. Know for whom you are writing. Gather all useful materials. Find a logical pattern with which to develop the theme. Eliminate every useless word. Eliminate every word not used in the spoken language.

The *Letter* is also a beautiful piece of literature, all at once realistic, romantic and idealistic.

"School," say the Schoolboys of Barbiana, "is a war against the poor": it sharpens "class distinctions chiefly through its schedule and its calendar . . . [it is] cut to measure for the rich. For people who can get their culture at home and are going to school just in order to collect diplomas." Teachers don't teach, exams don't examine, and the curriculum is dead and dishonest. Teachers, in return for being let into the establishment and for their ridiculously short hours and good pay – "your working hours are a peculiar privilege that the management has given you for reasons of its own. It is no union victory" – spend their time coddling the privileged, setting ridiculous exams, discouraging cooperative work – the kind that led to this *Letter*, for example, and covering material irrelevantly:

> *history* . . . one sided little tales passed down to the peasant by the conqueror. Italy right in the center of the world . . . the sufferings and the struggles of the workers are either ignored or stuck into a corner.

The Schoolboys of Barbiana are the sons of those on the other side of the tale, sons of Italian peasants; flunked out and dropped out of school, the boys were destined for a life in the fields and factories of Tuscany, toiling for the city. But they came to better lives because of the School of Barbiana. There eight boys, aged thirteen to sixteen wrote the *Letter* "to taste the joys of revenge" and to offer a plan for change. The reforms they offer are simple:

> The Reforms That We Propose
>
> 1. Do not fail students.
> 2. Give a full-time school to children who seem stupid.
> 3. Give a purpose to the lazy.

More specifically they would have the curriculum connect (non-trivially) to the real world of politics and economics. Examinations would be abolished, and the teachers would meet fair standards of craftsmanship: "I'd have you paid by piecework. So much for each child who learns one subject. Or, even better, a fine for each child who does not learn a subject?

Then your eyes would always be on Gianni."

At the School of Barbiana, the eyes are always on Gianni: "Until he could be made to understand, the others would not continue."

The School of Barbiana was founded by Don Lorenzo Milani, a radical priest from Florence, shortly after he was ordered to the church at Barbiana in 1954. He must have been a remarkable man; this is clear from his *To Obey is No Longer a Virtue* (Random House, in press), where he speaks in passing about education and his school. His ideas are quite different from those, say, of the Nixon Administration where it is argued that social goals and problems are disjunctive with educational goals, as if it were somehow possible that an education could be anything but a direct function of the vision or ideal of society that those in control of education have. For Milani the connections are clear:

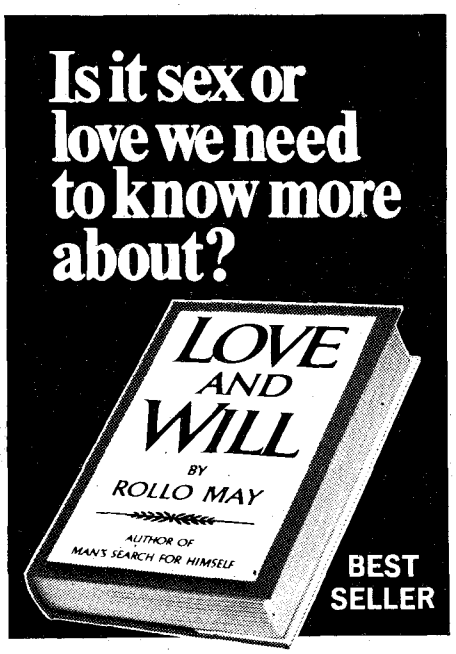
> Teaching is the subtle art of leading children along a razor's edge: on one side it is a question of molding their perception of the law . . ., on the other, of strengthening their desire for better laws and their political perception. . . .
>
> As these boys will have sovereign power tomorrow, I can't tell them that the only way to love the law is to obey it.
>
> I can only tell them that they must have such respect for men's laws as to be ready to abide by them when they are just (i.e., when they support the weak). But when the boys feel that they are unfair (i.e., when they support the abuses of the ruling class), they must fight in order to change the laws.

Consequently the School of Barbiana is a school of social service, not ego service, whose graduates go out into active life – into the unions, into community organizing, into teaching young people and adults who did not escape the trap set for them by the school system.

At first sight the *Letter* seems to be written about Italy and its schools alone. Actually it is a general indictment and a general plan for change. And never have we been told so well and so simply what is wrong and what is to be done. We should all feel like the old union worker from England who wrote Father Milani:

> [Paolo] is a blessing from God to our factory and a real credit to your school. He is so intense and happy with life . . . you and I so far away from each other and still we think and speak alike. Here many of the workers vote conservative and read the boss's newspapers, and I tell them, I had to wait for this boy to come all the way from Italy to find one who thinks like me.

We all had to wait.



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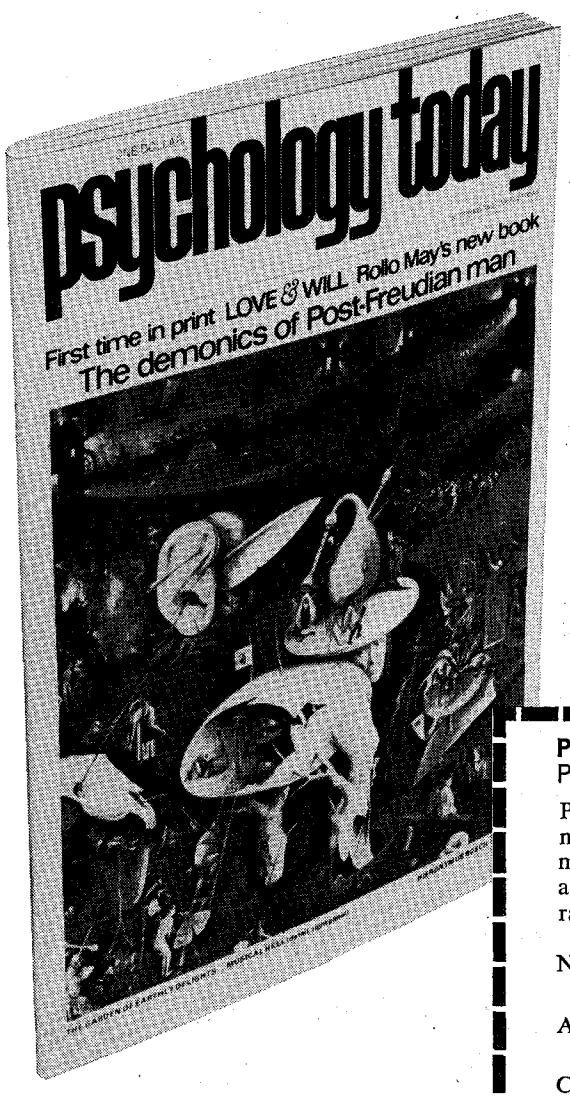

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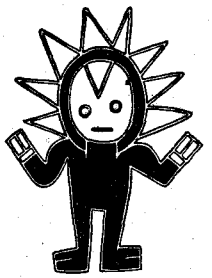

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An Exchange of Views

Nixon's Family Assistance Bill

Your treatment of the Nixon welfare reform bill, the Family Assistance Plan (FAP), is disturbing in its facile acceptance of the Administration's claims that FAP represents a major reform, if not a revolution, in our welfare system, a "historic" advance which perhaps contains some imperfections but on the whole should be enacted by the Senate without delay. (John Osborne, "The Nixon Watch: Updating Welfare," June 27.)

The Family Assistance Plan provides a minimum income of $1600 a year to a family of four, an amount pitilessly inadequate when compared with actual living costs. The Bureau of Labor Statistics estimates that a family of four requires $6567 to maintain a low-cost living standard. The national "poverty level," set by the Department of Health, Education and Welfare, is $3720 for a family of four. Subsistence is impossible on anything less.

The Department of Agriculture is also in the budget business. It has devised a "low-cost food plan," defined as the absolute minimum a family needs for food alone in a financial emergency. The plan provides $1778 for a family of four, more than the entire FAP budget, yet the Bureau of Labor Statistics reports that only one-fourth of those spending amounts equal to the low-cost food plan have nutritionally adequate diets.

The "working poor," or two-parent families where the father is fully employed, are for the first time eligible for public assistance under FAP. Yet it will still be common for families wholly dependent on FAP to realize higher incomes than those who work for a living. The states will be required to continue payments at current levels to all persons now eligible for Aid to Families with Dependent Children. These are families with children deprived of support or care because of the death, continued absence or disability of one or both parents, and, in 23 states, families where both parents are present and able but the father is unemployed or employed less than thirty-five hours a week. Forty-two states pay more than FAP (the high-benefit states pay more than twice as much), and current recipients in those states will receive their state benefits, plus any income incentive they earn; the fully-employed "working poor" will receive only their FAP payments plus income incentive. The Senate Finance Committee, exorcised at this so-called "work disincentive," demanded that the Administration amend the bill to eliminate it and certain other disparities. HEW replied by simply shifting the inequities. The states would no longer supplement intact families where the father is unemployed. "All male-headed families would be treated alike," says HEW. True, but the work disincentive has been replaced with the alleged incentive to family break-up, which FAP was designed to eliminate.

Those who do benefit financially from FAP will do so at the expense of submission to an onerous work requirement. All able-bodied family heads except mothers of children under six years of age must register for job referral or work training with their local public employment office or lose their FAP benefits. Persons who are disabled must enroll in vocational rehabilitation programs. Extensive discretion is given to local employment officials to determine who is to be placed in what jobs. Wages, hours and conditions of employment need only meet legal minimums or approximate standards "prevailing for similar work in the locality." FAP recipients can be referred as domestics or field hands if the going wage is $.50 an hour, and regardless of the availability or quality of child care facilities. In the past New York has required physically ill men to cut brush in knee-deep snow as part of its General Assistance program, and Georgia has automatically terminated aid to black recipients because of the availability of field work during the harvest season, work which paid less than AFDC rates. Even those already employed must register with their employment office. With little realistic control from the Labor Department, the states will be able to use the work requirement to reduce their assistance costs and to channel cheap labor to local employers with little regard for

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the needs of recipients.

Just before House passage, the Ways and Means Committee eliminated the requirement that recipients be made to accept only "suitable" work. Clearly the House was preoccupied by the possibility of a malingerer's raid on the public treasury, and not, as John Osborne suggests, by a desire to curb arbitrary abuse of power.

There are many other more subtle but no less oppressive features of this bill. Parents or spouses who desert their families are liable to the government for any FAP payments made to their wives or children, and this liability may be satisfied out of any monies due them from any federal agency. Thus, for example, a person may be deprived of his Social Security benefits by administrative fiat if he is alleged to have failed to support his children, with no opportunity to refute his liability. Judicial review of FAP administration is virtually emasculated by forbidding the courts from ruling on any finding of fact by an agency hearing officer. Authority over recipients is fractured into a bureaucratic nightmare consisting of HEW, the Department of Labor, and state employment, public assistance and service agencies.

The new amendments proposed by HEW at the insistence of the Senate Finance Committee have not been publicized in enough detail to permit fair analysis at this time. Certainly, however, it seems a bit early to endorse, with Mr. Osborne, a promised health insurance scheme which assumes that a family of four with income of $1600 a year can pay a premium in order to receive health care.

An alternative to FAP has been introduced in the Senate by Eugene McCarthy and endorsed by the National Welfare Rights Organization. It would guarantee $5500 a year to a family of four, plus a work incentive; increase this floor according to regional living costs and unusual personal needs; provide assistance to all needy persons on an equal basis; and eliminate the work requirement.

Consideration should be given to this and to other income measures before the Senate, as well as to the evils inherent in the Family Assistance Plan, before endorsing passage of FAP in its present form.

Lucy V. Katz

MISS KATZ *is staff attorney for the Columbia Center on Social Welfare Policy and Law.*

Mr. Moynihan replies:

Miss Katz has raised serious and entirely legitimate questions to which there are answers that satisfy those of us working on the Family Assistance legislation, and which I hope will satisfy her, and those readers who follow the somewhat technical points involved.

I would like first, however, to make a general statement.

I was among those who drafted the Economic Opportunity Act in 1964. This may seem a long time ago to her; certainly it does to me. It was a moment of high, almost exalted aspiration. The bill proclaimed that we would "eliminate the paradox of poverty in the midst of plenty" in the United States. Its terms were absolute. Alas, its provisions were something less. Money was scarce. A large-scale employment program for adult men was considered but rejected as far too costly. (The cost was about one-quarter that of the Family Assisance Plan.) In the end we settled for a youth employment program, and a variety of services.

I doubt that any of us in those days could have imagined that in six years' time a President would be proposing a comprehensive system of graduated income maintenance that in one stroke

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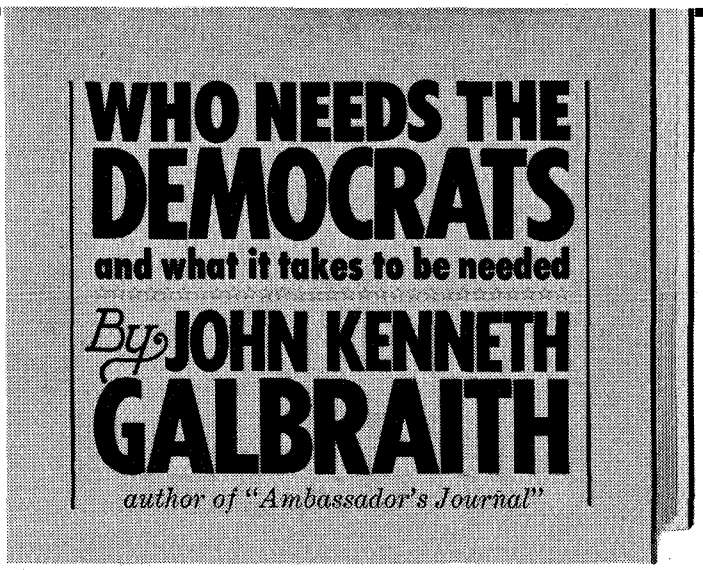

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would eliminate 60 percent of the poverty in the nation. Still less would we have imagined that much of the sustained, detailed opposition to the new program would come from representatives of organizations such as the Center on Social Welfare Policy and Law, which is funded by the Office of Economic Opportunity.

I say this because I am dismayed by the rhetoric of Miss Katz' letter. A recent Center report states that among the things it did last year was the preparation of a comment on the Family Assistance Act. This critique opposed the measure on grounds that it "perpetuates much that is wrong in technical and administrative aspects of current Aid programs." Fair enough. Government needs criticism, and should not be loathe to pay for it.

But do we really need the kind of relentless ascription of wrong-doing that pervades Miss Katz' letter? The proposed bill is "pitilessly inadequate." It is replete with "evils." And so on. Has she given any thought to why John Gardner, and Ben Heineman, the US Catholic Conference, the American Jewish Committee have been struggling for the enactment of this legislation?

I ask because the question is important. It is not a matter of a generation gap, it is an issue of the quality of American liberalism at this time. This kind of attack has been directed at the Family Assistance program from the outset. Even before it was announced the National Welfare Rights Organization denounced it as "anti-poor, anti-black, and a flagrant example of institutional racism." The National Association for Community Development, made up for the most part of OEO community action program officers, excoriated it as "little more than a public relations gimmick to subsidize cheap labor and involuntary servitude," and demanded instead "Power to the People!" Before long one was hearing middle-class ladies in lecture halls decry the "slave labor" provisions of the bill, and these voices, if anything, have grown more assertive. At the same time they have become less open to fact and argument.

Can we not get back to facts?

Family Assistance is a system of graduated income maintenance provided as a matter of right to all persons with dependent children. The system has two fundamental principles. First, the working poor are included, along with those who have no outside means of support. Of the 3.7 million families who would receive assistance, fully two-thirds are headed by a worker. Second, a work incentive is built into the system so that the more one earns, the more one keeps. The bill also provides a comprehensive day-care program for working mothers.

The Administration proposal provides (for a four-person family) a base income of $1600, plus $894 in Food Stamp entitlement. This figure corresponds closely to the $2400 base proposed by the Heineman Commission, appointed by President Johnson in 1968, which reported several months after the present Administration sent up its program. (This is a matter of some note. The two groups, with quite different political bases and interests, came up with nearly identical programs.)

The term "base" is important. Of the persons who would receive Family Assistance, not one in ten would be living on $1600 plus food stamps. Even for that small group, that sum would represent a considerable increase in current income. (Recall that Mississippi now provides a mother and three children $468 per year in AFDC benefits.) For more than 90 percent of the recipients, the $1600 is the amount of base benefit which gradually diminishes as income rises. For persons with larger families, the base is higher. A family of four would "phase out," that is to say cease receiving benefits, when its income reaches $3920. For a family of eight the cutoff point is $6320.

Thus a Mississippi farmer with a wife and six children and an earned income of $2000 would receive, as a matter of right, an automatic cash supplement of $2160, giving him a total income of $4160, plus the value of his Food Stamp bonus. It should not be hard to see that this would very much change his life.

This is why Family Assistance is widely held to be the most important piece of domestic legislation to go before the Congress in two generations. It would transform the life of the poor – particularly in the South, where almost half the poor live. Over 40 percent of the recipients of FAP benefits would be black. It is not too much to say FAP would transform the lives of the working black poor as well.

There are conditions attached to these benefits, but they are hardly onerous. Indeed the public that will pay for the benefits has every right to expect such conditions.

The first condition is that anyone not working and receiving benefits must be available for work or training at prevailing rates of pay.

This, in essence, is the condition attached to Unemployment Insurance benefits. When this work requirement was first proposed in the 1930s there was much talk about how it would be used to oppress the recipients. But this has not happened. Nor will it happen under FAP. The condition has no application for most of the families in the program, who are headed by adult males who are now working. Of the female headed families, only those without children under six are subject to the work requirements.

The work requirement is simple. If a person refuses to work he loses *his* benefit, namely $500 per year. The allowances for his wife and children continue as a matter of right. I do not know about those sick New Yorkers cutting brush knee-deep in snow, but Family Assistance has nothing to do with any such parochialisms. It is a national program, which for the first time will establish national standards of income entitlement by right.

The legislation would abolish the present AFDC-U program. There are two points to be made here. First, note the tortured state of regulations under our existing system. Hoping to cover a few members of the working poor, HEW officials defined unemployment as working less than 35 hours a week. But it didn't achieve its goal. In the entire nation, only 90,000 families receive AFDC-U benefits. Working men don't seem to take it where it is available, and in the poorest states it is not available.

Miss Katz is right in pointing out that under Family Assistance a broken family might still have greater income than one which remains united. But this is much less so than under the present disastrous case of the Aid to Families of Dependent Children program that has brought us to the point of a seemingly permanent welfare population in New York City of over one million persons.

Family Assistance is not perfect, but it is quite the most extraordinary proposal to come along in two generations.

I believe I understand the motives of persons such as Miss Katz. She would hope for a genuinely marvelous program, with none of the strictures, or

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to use her term "oppressive features," of the present bill, nor the compromises with political reality which any legislation requires if it is to succeed. But as one who has been involved with this subject a long time, may I not plead that what we have before us is infinitely better than what we have now, and that everyone's help is needed if the bill is to pass. Increasingly it is being opposed by forces of the extreme right, and also by plain conservatives who simply don't believe in this kind of thing. It would be tragic if compassionate liberals added just that extra push that toppled the bill. (Which is now in the Senate Finance Committee, having passed the House by a thumping majority.)

I believe I also understand Miss Katz' attraction to the National Welfare Rights Organization bill, which calls for a base of $5500. It seems a reasonable proposition, indeed the battle cry "$5500 or fight" is a stirring one. But in fact it is terrifying conservatives who might otherwise be with us. The simple arithmetic is this. The N.W.R.O. bill would cost something like $60-billion per year. (Just to give some order of magnitude, in 1968 there were some 22 million male workers whose annual earnings were less than $5500.) For a family of four, assistance would not phase out until at least $8250. Under its provisions, there being no work requirement, such a family need do absolutely nothing to obtain an income equivalent to a wage rate of $2.75 per hour. By the same token, a man could earn more than four dollars per hour and still receive some federal assistance. Given the inflation that would follow, the ranks of poverty would be swelled, especially by older persons. (Let me be clear, I intend no slight to Senator McCarthy. To my knowledge, he was the first national political leader to propose a system of graduated income maintenance. It took courage to do so: a quality he has not lacked.)

I would return to my earlier theme, and cite Martin Mayer's excellent small book on the New York City teachers strike of 1968. It was a calamity, he reports, brought about by persons of great good will. Too many such persons, he suggests, have been set up in the "grievance business." Their job is to find things that are wrong; then to right them. If their efforts only make matters worse, well, they find something else wrong. There is a saying around the criminal courts, Mayer reports, that "the lawyer always goes home." I respect and admire the things the young poverty program lawyers are doing in this country. But I also have the strongest conviction that if the Family Assistance Plan is not enacted by this Congress it will not be enacted in this decade. I would remind those lawyers that if there is no bill for them to critique next year, they can always join a Wall Street firm. But the children of that Mississippi farmer will go on living the spare, bare life into which they were born, and from which they can be spared only by a large, bold national effort.

Daniel P. Moynihan
Counsellor to the President

Correspondence

Powerless Persuasion

Sirs:

I wish to commend you for publishing the letter of Charles C. Allam (Re: Prof. Bickel's "The Tolerance of Violence on the Campus") in your June 27 number. Mr. Allam has expressed – eloquently, I think – the truth of the matter, the truth which "drugstore liberals" such as Prof. Bickel fail to discern. We do not live in a world that pays homage to persuasion or to reason. I decry this as much as anyone. I detest violence of all kinds – from the violence of murder on our streets to the violence of war to the violence pushed upon us by the polluters, the noise makers, and the purveyors of the easy business ethic.

I have no answer to the dilemma which is caused by living in a society that believes in naked power while at the same time for its own self-serving purposes calls out persuasion, reason, when its bastions are threatened. This is not to deny the presence of those who really believe that the way of persuasion can work under existing circumstances – I presume that Prof. Bickel is one of these. How then does Bickel and his coterie answer Allam's searching questions? "What does persuasion get us, Professor? No one could have been more eloquently persuasive in his reasoned attacks than Sen. Fulbright. Did Lyndon Johnson listen? Has Richard Nixon listened? The Negroes in this country have had eloquent defenders, but they got next to nothing until they acted."

Now that students are acting (sometimes violently and frequently unwisely and with immaturity), Bickel is disturbed. So am I. But I am far more bothered by the peddling of the easy business ethic which brings violence of another sort upon us and by the unconscious (or is it?) acceptance of the brutal ethic of war which is somehow transferred into patriotism.

Edward Schriver
University of Maine at Orono

Tuition Vouchers

Sirs:

The tuition voucher plan pioneered by Christopher Jencks promises to introduce some much-needed competition to that dreary monopoly, the public school. But the version outlined in these pages (July 4) draws back from full reliance on the marketplace in two crucial respects. First, schools would be required to accept fifty percent of their students at random. Second, they would not be permitted to supplement their voucher revenues with additional tuition. Without such strictures, the argument goes, the middle class would exclude the contaminating poor, or price its schools out of their reach.

We don't think these restrictions will work. If the middle class really demands economic segregation, it can outfit schools with tracking systems and curricula specifically designed to repel the poor. The bourgeoisie knows how to make uninvited guests stay home. The no-supplement provision offers wide scope for evasion. Resource shuffling in a large organization, perhaps a church or club, could easily support a school that could not pay its way on vouchers alone. Voucher money could be directed to provide a limited educational program, with enrichment aspects – music, art, recreation, foreign languages – provided outside the school on a fee basis.

If the voucher agency wished to seal the loopholes, the results might be perverse. Schools would have to be forbid-

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den from consistently losing money – an easy enough burden for commercial ventures, but probably fatal to innovative nonprofit schools. Capital expenditures of any sort would have to be carefully screened to make sure they were not in fact secret subsidies. Policing against evasions such as these could turn the voucher agency into an anti-middle-class version of county welfare. No voting majority would long abide a system so clearly designed to frustrate its wishes.

Wouldn't it be simpler to let the middle class exercise its desire for better schools? To protect the poor, schools could be required to provide scholarships from above-voucher revenues, or part of these funds could be recycled into the common voucher budget. If necessary, schools could be required to accept students by income class and race in the proportions in which they apply. Even the plan Jencks outlines needs a similar provision to prevent racial exclusion.

Standardization of quality has already been tried in this country in one key social area, medical care. Only Cadillac care is acceptable. The result has been inefficiency and resistance to new methods of delivery. The proposed plan for tuition vouchers would provide quality standardization in education; this time the automotive equivalent would be a stripped down, stick shift coupe.

Particularly since voucher plans are still in the experimental stage, why not give them a chance to show what they can do? OEO ought to provide funds sufficient to experiment with several varieties of voucher plans, some more venturesome than the one now proposed.

Leonard Ross
Richard Zeckhausen
Washington, D.C.

The Economy

Sirs:

Referring to the newly created President's Commission on Productivity – ("Very Ill? Try an Aspirin," June 27) you say – "its meaning seems to be that if output can somehow be raised, wages can be increased without affecting prices, and so nobody need be vilified for causing inflation."

Only an increase in productivity makes it possible to raise wages without increasing costs, and therefore prices. This is not true if output, or production, is increased, if there has been no increase in productivity. In the President's economic message he made no reference to increasing production. Perhaps this is because his economic advisors have cited our declining production as evidence that their anti-inflation program is working. But any success the new Commission might have in increasing productivity without increased production means that there will be a still faster acceleration in the number of unemployed.

John C. Davis
President's Council
of Economic Advisors, 1947-'52

3-Year-Old-Vote?

Sirs:

Congressman Mikva's letter (June 6) explaining the constitutional and precedent-established justifications of the Congress-passed bill that lowers the voting age to 18 misses one cogent point which few people – either supporters or opponents of the measure and its style of passage – have raised. That is, why does equal protection only apply to 18-year-olds? The draft begins for 19-year-olds; legal majority is traditionally 21; in some states, individuals are tried as adults at 15; drivers' licenses (as good a measure as any other – they are all irrelevant) are available at 14 in certain states.

Why doesn't equal protection apply to three-year-olds? If you are using the Constitution, then use it consistently.

Daniel Okrent
Brooklyn, N.Y.

Kauffmann, *from page 22*

World War One who is really a German spy . . . and that's enough of the plot. Rock Hudson is her aviator lover, Jeremy Kemp tries to be George Sanders, there are two unfunny French detectives and a witty Terry-Thomas

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performance of an aviator by Lance Percival. The plain but serviceable score is credited to Henry Mancini. *La Marseillaise* is credited to Roget de Lisle.

Miss Andrews is, to me, the great female impersonator of our age. I'm convinced that her first name is really Jules, so, prude that I am, I'm always a little embarrassed to see her in bed with men. When she's out of bed and being a star, there is a certain nastiness under her professional sweetness that makes her mildly interesting.

The picture's chief entertainment values come from Blake Edwards' direction: from the opening trick shot when, out of darkness, we see a few glitters that turn out to be the necklace around the neck of Miss Andrews on stage; to long overhead sweeps to give his film a lift; and the right schmaltzy use of the camera in adoring this supposed idol of the troops. It is all gooey, but I enjoyed some of the goo, and so might others. *Chacun à son goût.*

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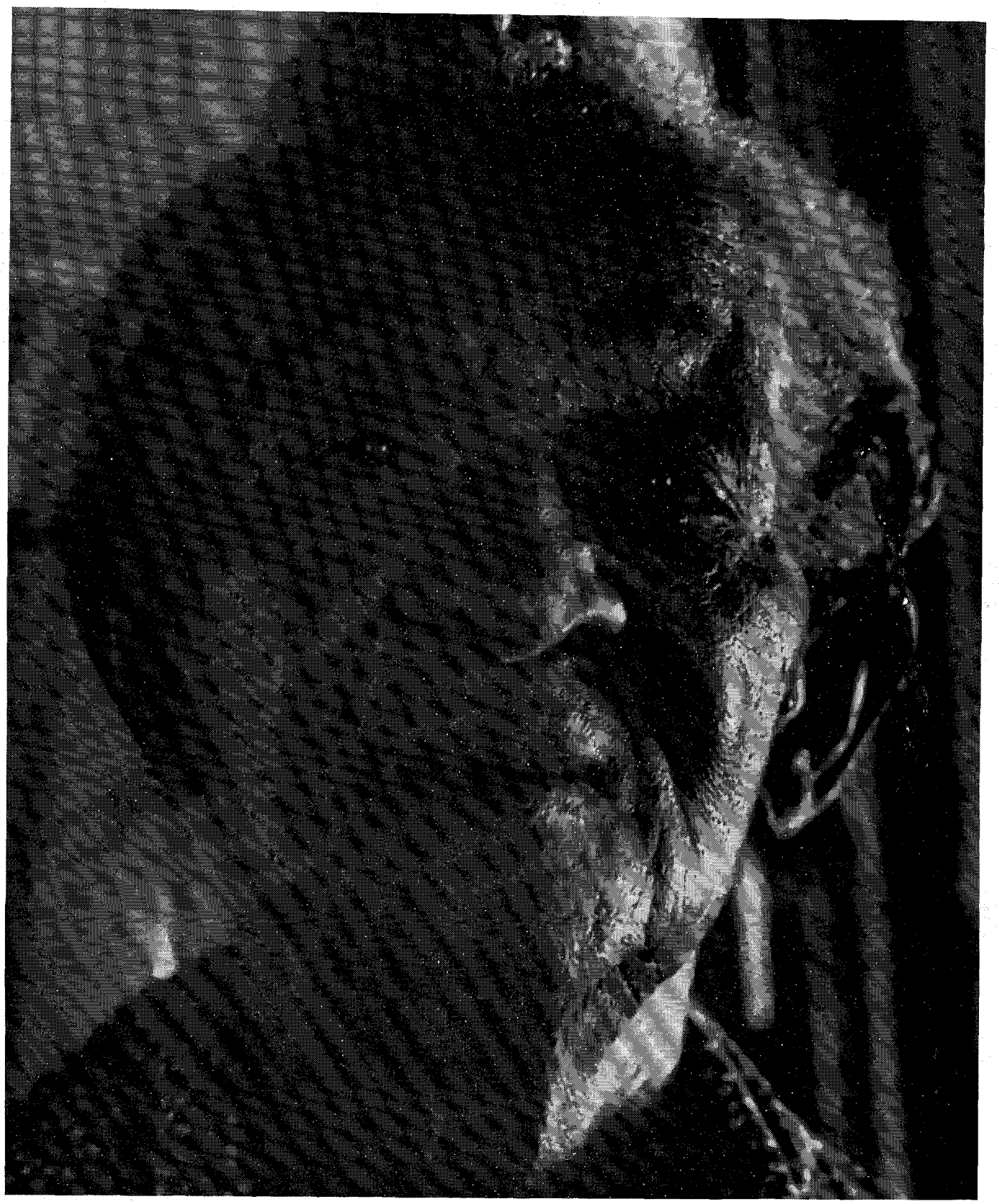

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